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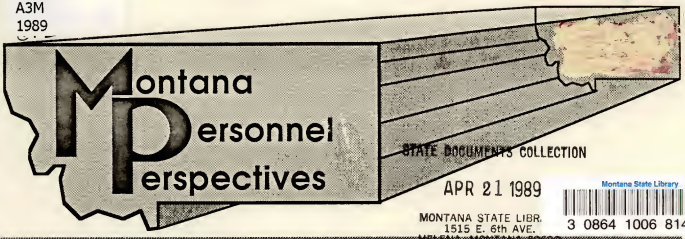

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Volume VIII, Number 9 January, 1989

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Privacy and The Employment Relationship

(Note: This article is based on Employee Privacy Law and Practice by Kurt H. Decker, 1987, and on information compiled by Kathleen F. Holden, asociate legal counsel, Department of Administration.)

Privacy concerns arise when an employment relationship is created. Relationships are present at hiring, during employment and after employment terminates. Involved are collection of information for hiring decisions, storage, retention and maintenance of records, internal use of records in making decisions after hiring and disclosure of information to third parties.

Privacy has been defined as the ability to control access to information about oneself. In Montana the right of individual privacy is a fundamental constitutional right expressly recognized as essential to the well-being of our society. The Montana Constitution also recognizes the public's right to examine documents of all public bodies and agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure.

Article II, S 9, Mont. Constitution states:

> "No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions,

except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure."

Article II, S 10, Mont. Constitution states:

"The right to individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest."

The Montana Supreme Court balanced the competing consitutional interests of Article II, Sections 9 and 10 in Mt. Human Rights Commission v. City of Billings (1982) and Missoulian v. Board of Regents (1984).

In Human Rights Commission v. City of Billings, 199 Mont. 434, 440; 649 P.2d 1283, 39 St.Rptr. 1504 (1982), the Court stated:

"Privacy has been defined as the ability to control access to information about oneself. (Citation omitted).

.... The right of individual privacy is a fundamental constitutional right expressly recognized as essential to the well-being of our society. The constitutional guarantee of individual privacy is not absolute. It must be interpreted, construed and applied in the light of other guarantees and not in isolation. The right of individual privacy must yield to a compelling state interest. ... Under the 1972 Montana Constitution, the only exception to the restriction against the invasion of individual privacy is a compelling state interest."

The Court adopted the following two-part test to determine when a privacy right exists:

"A constitutionally protected privacy interest arises if: (1) the person involved has a subjective or actual expectation of privacy; and (2) society is willing to recognize the expectation of privacy as reasonable."

Human Rights 199 Mont. 434 at 442.

In Human Rights Division v. City of Billings, the Supreme Court applied a two-part test and held that employees of the City of Billings had a constitutionally - protected privacy interest in their personnel records. The Court also held that the City of Billings could assert the privacy right of its employees to protect personnel records in its possession. The court stated:

"While we are aware that much of the information contained in employment files and records is harmless or is already a matter of general knowledge, we are not persuaded that the records are entirely free of damaging information which the individuals involved would not wish and in fact did not expect to be disclosed. ..."

"Employment records would reasonably contain, among less sensitive information, references to family problems, health problems, past and present employers' criticism and observations, military record, scores from IQ test and performance tests, prison records, drug or alcohol problems, and other matters many of which most individuals would not willingly disclose publicly."

Society is willing to protect the privacy of the members in regard to the medical information contained in the personnel files.

In Missoulian v. the Board of Regents _____ Mont. _____, 675 P.2d 962, 41 St.Rept. 110, 120 (1984) the Court stated:

"The constitution appears to prescribe two different standards for determining whether a privacy interest prevails over a competing interest. In Montana Human Rights Division, we recognized that a privacy interest will yield only to a compelling state interest. There, we found that a compelling state interest arose under the equal protection clause of the Montana Constitution. (Citation omitted)

The Missoulian argues that here a compelling state interest arises simply because the right to know is of a constitutional magnitude; the right to know being a compelling state interest privacy must yield. Under the Missoulian's theory, it appears the right to know

would always prevail over individual privacy.

However the right to know is not absolute. The more specific disclosure standard of the constitutional and statutory provisions requires this Court to balance the competing constitutional interest in the context of the facts of each case, to determine whether demands of individual privacy clearly exceed the merits of public disclosure. Under this standard, the right to know may outweigh the right of individual privacy depending on the facts.

Before balancing these interests, however, it must be determined more precisely what interests are at stake. This determination includes consideration of various facets of the public interest and is required by the language of the right to know provision, which calls for a balancing of the "demands of individual privacy" and the "merits of public disclosure."

Some information about state employees has been held to be public. In 1980, the attorney general ruled that a state employee's title, dates and duration of employment and salary are public information. A state agency may require that requests for disclosure of a state employee's title, dates and duration of employment, and salary be in writing. However, the agency may not require that justification for the request be given.

A 1988 opinion held that original documents submitted by applicants to the Public Employees' Retirement Division of the Department of Administration contain private information about third parties and thus are not open to public inspection for the purpose of compiling a mailing list.

Guidelines

Neither the right to privacy nor the right to know is absolute. It is necessary that each of these rights be identified and balanced against each other on a case-by-case basis. The following guidelines should be followed when a request to examine documents is received or when infomation about an employee is requested. The same guidelines should be considered when determining whether it is appropriate to share information about an employee within the agency.

1. Examine the request to determine whether the information requested or contained in the document is subject to a claim of individual privacy.

a. Is there information about an individual person or corporation?

b. Was the information provided to the agency or developed by the agency with an express or implied statement that it would be kept confidential?

c. Is there a statute, legal opinion or rule that either protects the individual's privacy or specifically requires public access to the document or information?

d. Is the information of the type that an individual would willingly disclose to anyone asking for it?

e. What, if any, are the possible consequences to the individual if this information is made public, either within or outside the agency?

f. Is society willing to protect the individual's privacy claim?

g. Is the individual willing to waive his or her right to privacy?

2. If a privacy interest is identified and has not been waived, it must be determined whether or not the privacy interest clearly exceeds the merits of public disclosure.

a. Identify the public purpose served by opening the document or information to public examination.

b. Does the public purpose rise to the level of a compelling state interest? If yes, should use of the information be restricted? If yes, before releasing the information consult with legal counsel about a protective order from a court.

c. Does the right to privacy clearly exceed the merits of public disclosure? If it is determined that the public's right to know and the individual's right to privacy are about equal, consult with legal counsel before releasng the document or information.

Record keeping, disclosure, and privacy are significant employer concerns. Concerns arise in initial collection, ensuring accurate

collection, restricting use to the collection purpose, and in what extent disclosure should or should not occur.

The Employee Record Keeping policy, 3-0110, Montana Operations Manual, Volume III, provides guidance on the types of records which are maintained on state employees and who may have access to these records. For further information on this subject, call Gale Kuglin, 444-3984.

Employee Handbooks in Short Supply

Central Stores has a limited number of State Employee Handbooks left in stock. When current supplies are exhausted, the handbook will not be available again for some months.

Typically, the Handbook is given to new employees, but it contains worthwhile information for all employees regardless of their length of state employment.

To order a supply of handbooks, at a cost of 63 cents each, call Central Stores at 444-4514. The order number is 9000-0870.

GOVERNOR STAN STEPHENS HAS DECLARED THAT JULY 3, 1989 WILL BE OBSERVED AS HERITAGE DAY FOR MONTANA

Classification Pursuit

Question:

Jack's work unit was recently reviewed as part of a class series review. When new class specifications were drafted. Jack was given an opportunity to comment on the drafts. He made several comments, but when the final specifications were published, he noticed that his comments and suggestions hadn't been included. "Why," Jack wonders, "does the Classification Bureau ask for comments on the class specifications if they aren't going to consider them?"

Tracking A Bill: The Basics

Tracking a bill during the legislature is not as mysterious as it may seem. The first stage of the legislative process begins with the Legislative Council. Requests for bill drafting are submitted by legislators to the Council. Once a bill has been drafted by a council staff member, it goes through a legal and final review. The bill is then entered into the legislative computer system and printed. It is again reviewed and then brought to the sponsor for signature and introduction. The bill sponsor has a specific number of days, depending on the rules adopted for that session, in which to introduce the bill.

Agency staff often need to know where a bill is in the Legislative Council process. A call to the Council at 4853 or 1-800-237-5079 will identify the status of a bill. The Council also maintains daily status sheets listing agency legislation and progress. These are located in the Legislative Council information office in the basement of the rotunda.

The computer index will identify bill items that may affect a particular program or be of personal interest. The index is located in the Legislative Council office. The computer index of drafting requests is catagorized in three parts, first, by the legislator making the drafting request; second, by subject area; and third, by Legislative Council staff assignments. A bill's progress can also be tracked using the on-line status system that is available in the office of most agency directors.

Copies of proposed bills are printed in a variety of colors throughout the session.

White: Introduced bill

Yellow: Second reading copy with committee amendments

Blue: Third reading copy with floor amendments included

Salmon: Reference bill
Green: House amendments to Senate bills
Pink: Senate amendments to House bills
Ivory: Final copy of the bill including conference committee amendments

Goldenrod and Raspberry: Fiscal notes

New Medicare Benefits Will Impact State Plan

On July 1, President Reagan signed into law the Medicare Catastrophic Protection Act of 1988, bringing about the largest expansion of benefits provided by Medicare since the program was established in 1965.

The act expands nearly all aspects of Medicare coverage and adds a new prescription drug benefit. The enhancements will be phased in over a three-year period beginning in 1989.

Impact on the State Employee Benefit Plan

The changes in Medicare benefits present several challenges to the State Employee Benefit Plan:

1. There will be greater duplication of benefits between Medicare and the State Employee Benefit Plan. Since Medicare is the primary payor of claims for retirees, this means that the State Plan, as secondary payor, will have to pay out fewer claims dollars for medicare eligible retirees. Carve out rates for retirees will need to be reassessed in light of these savings.

The medicare eligible retiree premiums (carve out rate), like other premiums, have not been increased during the employee pay freeze and are currently inadequate to cover claims costs for Medicare eligible retirees. The added medicare coverage provided by the Catastrophic Protection Act of 1988 may provide enough savings to the State Plan to avoid the kind of increases in the carve out premiums that will be required for regular premiums. This will be of considerable concern to medicare eligible retirees because they must pay for the added Medicare coverage which will leave fewer dollars for supplemental coverage. See costs of new medicare coverage below.

The State of Montana, like other employers, will need to examine its retiree coverage and premium structure to determine what changes are needed.

2. The Medicare Catastrophic Protection Act requires employers who provide coverage that duplicates the expanded Medicare coverage to pass savings back to Medicare eligible retirees during the first year in which the savings are achieved. This is 1989 for Part A savings and 1990 for Part B savings. Guidelines on how savings are to be calculated and passed back to retirees are not yet available, and will be another factor in any reexamination and restructuring of benefits and premiums for medicare eligible retirees.

New Benefits Provided by the Medicare Catastrophic Act

Effective January 1, 1989 there will be an annual Part A deductible for hospitalization of $564 rather than the previous $540 deductible for each spell of illness. There will also be unlimited hospitalization with no co-insurance requirements as previously there was a 90 day limit on hospitalization and a co-insurance requirement for each day between the 61st day and the 90th day. Skilled nursing facility and hospice benefits are also expanded.

Beginning in 1990, Part B outpatient benefits will be enhanced. Medicare beneficiaries out-of-pocket expenses for Part B Medicare-covered services will be limited to $1,370 per year which will be indexed to inflation and change in subsequent years. Currently there is no limit on what a beneficiary can pay out-of-pocket in 20% co-payment charges plus deductible.

Beginning in 1991, Medicare will pay a portion of the cost of prescription drugs. It currently pays only for drugs received in a hospital and other select drugs such as immunosuppressants following organ transplant. In 1991 Medicare will pay 50% after a $600 deductible has been met. The deductible will rise to $652 in 1992 and will be indexed to inflation thereafter. Medicare coverage will increase to 60% after deductible in 1993 and to 80% thereafter.

Costs of the New Medicare Coverage

The costs of the expanded Medicare

coverage will be born solely by Medicare recipients and eligibles. In addition to the basic monthly premium recipients already pay for part B ($27.90 in 1989), they will be assessed an additional $4.00 per month in 1989 and the addition will gradually increase to $10.20 per month in 1993.

The cost of the expanded Part A coverage will be $22.50 per $150 of income tax in 1989, gradually rising to $42 per $150 of income tax in 1993 not to exceed $800 total in 1989 and $1,050 in 1993.

While only those Medicare-eligible individuals who apply for and receive Part B benefits, will be required to pay Part B basic or supplemental premiums, all individuals eligible for Medicare must pay the Part A tax surcharge whether they use Part A or not. This includes all active Medicare eligible and Medicare eligible dependents of active employees who typically don't use medicare benefits because they have employee group coverage which is primary.

For further information, call Joyce Brown at 444-2553.

Classification Pursuit

Answer:

Jack needs to understand how class specifications are used. A class specification is a guide that describes the kind of positions that should be allocated to the class. They are used primarily by job analysts and personnel officers, who are familiar with the format and special usages common to class specifications. When comments from reviewers are not included in the final drafts, it is usually because they aren't necessary to illustrate the kinds of positions in the class, or they deviate from the accepted format and terminology.

The format used for class specifications begins with a "summary of work" statement in which the nature of supervision received, the level and type of work, and the supervisory responsibility, if any, is briefly described. Words used in this statement, such as "technical" and "professional" help job analysts to recognize the kind of position that can be allocated to the class. The terms "close" and "general" supervision also have specific meaning to job analysts.

The "illustrative examples of work section" lists the type of duties commonly performed by positions in the class in order of importance. Again, this is a guide that helps in the determination of whether or not a position should be allocated to the class. The section doesn't normally include all duties performed by all positions, but is "illustrative" only.

The "requirements" section is meant to serve as a guide to agencies in recruitment and selection. These requirements reflect the knowledges, skills, and abilities needed to perform successfully the work described on the specification. Again, they are not necessarily an exact description of the requirements of a specific position. They are a general guide, and agencies are free to modify or expand on them according to the individual position requirements. The "requirements" statements represent reasonable minimum qualifications, and should be considered as such.

The Classification Bureau invites comments on the class specifications only to verify or correct their adequacy for classification purposes. These types of comments are always considered, and are often incorporated into the final drafts.

For further information, call Lana Loughrie at 444-3854.

Five Good Reasons To Walk

It's still nature's most nearly perfect exercise.

1. **You'll look younger, feel better, be healthier and live longer by walking.** This may be stretching things a little, but not much. It is the all-purpose exercise with few risks. Which brings us to point 2.

2. **Walkers suffer few sports injuries.** They don't get runner's knee, tennis elbow or swimmer's ear. Walking doesn't have the enormous impact running or jogging does on feet, legs, knees, thighs, and backs. The American Medical

Association says the risk of back, joint and muscle injuries is minimal with walking. With a doctor's advice, walking is safe for most people with arthritis, diabetes, asthma and a lot of heart problems.

3. **Walking is a great form of dieting.** It is possible to walk off five, ten or even 15 pounds a year of that undesirable, gobby stuff lingering on your body. The increase in exercise burns calories and you can lose fat without dieting. However, the less fat you have to lose the tougher it will be to walk it off. And if you follow-up every walk with potato chips or a cream puff, well....

4. **Walking is the ultimate in spot reducing.** Actually, all those 12-day programs to slim your posterior have dismal if existent success rates. Regular walking tones muscles and shapes legs, hips and fannies. The faster you walk, the more you exercise your buttocks.

5. **Walking is an exercise you can live with.** The high intensity exercises - running, jogging, etc. have excessive drop-out rates after the initial weeks or months of enthusiasm. Seventy-five percent of walkers, however, stick by their chosen exercise. The down side of walking is minor: organic matter deposited by neighborhood dogs; occasional exhaust fumes; and the need to wear reflective clothing at dusk or dark to avoid vehicles converting your body into a road pizza. The up side: it increases well-being and is nature's most nearly perfect

New Staff

Liz Hayden has joined the Policy Section staff as a Personnel Policy Coordinator. Ms. Hayden's phone number is 444-3983.

Richard Bender is new to the Personnel Division in the position of Data Management Specialist. Mr. Bender can be reached by calling 444-3856.

Rod Sundsted has returned from a stint in The Office of Budget and Program Planning to carry out the duties of Chief of the Labor Relations and Employee Benefits Bureau. Mr. Sundsted's phone number is 444-3892.

Peggy Barnekoff has rejoined the staff of the Labor Relations Employee/Benefits Bureau in the position of Secretary II. Ms. Barnekoff can be reached by calling 444-3873.

PROFESSIONAL DEVELOPMENT CENTER

FEBRUARY CLASSES

The February schedule of classes offered by the Professional Development Center is a varied one.

MANAGING TIME
This class is aimed at anyone who feels the need to become better organized during the coming year. It offers some time tested methods for managing your time better both on and off the job. Cost is $40.00, and the class will be conducted from 8:30 to noon, February 6, in the Yellowstone Room, Lee Metcalf Building.

PRE-RETIREMENT PLANNING
This two-day seminar is for anyone covered by the Public Employees Retirement System and who is within five years of retirement. The seminar will be held from 9:00 a.m. to 5:00 p.m., February 7 and 8, in the Coach House Inn East, in Helena, and is jointly sponsored by the PDC and PERS. Cost is $50.00.

DEALING WITH THE ANGRY PUBLIC
Mary Ellen Campbell of the University of Montana, will once again present her popular seminar intended for those who are "on the front line" when dealing with the public. The class will be held from 8:30 a.m. to 4:30 p.m., in the Glacier Room, Lee Metcalf Building. Cost is $55.00.

MEETINGFUL MINUTES
Anyone who ever has to keep minutes for meetings will enjoy and learn at this popular seminar offered by Ray Fenton, management consultant. The eight-hour seminar will be held, in the Glacier Room, Lee Metcalf Building, February 8 from noon until 4:30 p.m., and on February 9 from 8:30 a.m.to noon. Cost is only $65.00.

SUPERVISORY CLINIC II: Dealing with Serious Personal Problems
This one-day seminar, offered by Metamorphosis of Missoula, is intended for supervisors who know, or suspect, an employee has a substance abuse problem and would like to know what they should do about it. The seminar will be presented in the Glacier Room, Lee Metcalf Building, February 9, from 8:30 a.m. to 4:30 p.m.. Cost is $65.00.

WHO SHOULD I HIRE?

This half-day seminar will focus on proper and effective selection procedures. Taught by John Moore, PDC management trainer, the course covers EEO issues, job analysis, recruitment options, screening, selection methods, interviewing, references and preferences. The class will take place February 16, from 8:30 a.m. – noon. Cost is $40.00.

PREVENTING SEXUAL HARASSMENT

Attendance at this seminar, or one like it, is mandatory in many organizations around the country. The problem of sexual harassment still exists and is cause for alarm in many organizations. The class will be conducted from 8:30 a.m. to noon, February 21, in the Glacier Room, Lee Metcalf Building. Linda Davis, the State EEO Coordinator, will be the instructor. Cost is $25.00 and is aimed at managers and supervisors.

EFFECTIVE PRESENTATIONS

This 16-hour intensified and practical workshop to prepare you for making public presentations of any kind, is jointly sponsored by training representatives from the various state departments. The workshop, conducted in the Glacier Room, Lee Metcalf Building, will be on February 22 from 1 p.m. to 5 p.m.; February 23 from 8:30 a.m.-4:30 p.m.; and February 24 from 8:30 to noon.

Anyone desiring further information about these, or other seminars offered under the auspices of the Professional Development Center is urged to contact their Personnel representative or call the PDC at 444-3985, or 444-3749.

MANAGEMENT NOTES:

There is an insidious leadership problem: a growing feeling of infallibility. "Why am I the only one around here who knows what to do about anything?" That happens when the leader constantly changes the rules. That too,is natural when the leader is thinking ahead in directions unknown to others. Then the boss ends up the only one who really understands the game being played...and all others end up looking stupid or incompetent.

The solution is to simply develop an open-minded environment where ideas are shared and guidelines proposed openly.

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Managing Time-4hrs 6	7 Pre-Retirement Planning	Dealing with the Angry Public 8	Supervisory Clinic II 9 Meetingful Minutes	10
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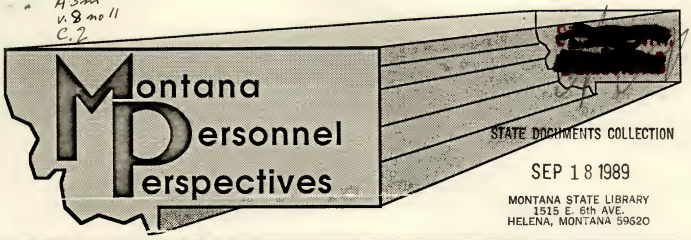

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Classification Rule Amendments Drafted

Amendments to Classification Plan Rules (MOM Volume III, Policy 3-0401) have been drafted to make the operation of the classification system more efficient and responsive to agency needs. These amendments can be summarized as follows:

Rule 1720 (a), as modified, requires agencies to specify one of four choices as "Justification for Action" on a Position Detail Form. These choices are the same ones used in the biennial Grade Change report to the Legislature.

Rule 1720 (b), amended, requires that agencies provide specific information about each classification request in order for action to be taken. Any request sent to the Classification Bureau without the required information will be returned to the agency. Requiring agencies to provide more details about why they are requesting an action -- i.e. what has changed in the job duties, how the job fits into the organizational chain of command, what other jobs are comparable -- will help the Classification Bureau staff process requests more quickly. A questionnaire form will be provided for agency use.

Rule 1721 (1) has been amended to address the request by an agency for a review of a work unit rather than a position. Since 1720 deals with classification and reclassification requests for single positions, this change was needed to cover organizational reviews requested by agencies.

Finally, Rule 1722 (7) (a) is amended to allow the Department of Administration and affected agencies to agree on a date to implement pay changes that result from classification reviews. The rule currently states that the implementation date will be the first of the fiscal year following the date the review was initiated.

These amendments will be discussed at the Personnel Policy Network meeting on March 31, 1989.

For additional information about the classification rule amendments, call John McEwen at 444-3894.

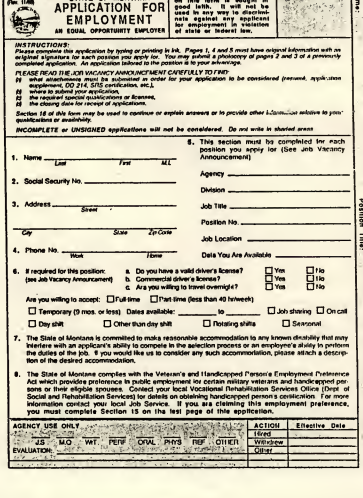
State Employment Application Modified

The Montana State Application for Employment form has recently been updated. Instructions have been made clearer and more concise for all sections and several portions have been moved. Examples of pages 2 through 5 are on the following page.

The most obvious change is an explanation of Veteran's and Handicapped Person's Employment Preference on page one and placement of the claim section for this preference on page 4. The move provides more space for clearer directions, and an additional check off for Vietnam Veterans.

Page two combines education and training experience with the special skills section. The request for year of high school diploma or equivalent has been removed and graduate education is now included in the college section at top of page 2.

The experience section beginning on page three has been rearranged to get more information. These changes were made based on input from state agencies and Job Service Offices. There is also a change in the wording regarding a request for references. Additional work experience may still be noted on Additional Experience forms (PD-30) as necessary.



PAGE 1

PD-25 (9/20-89/5R) (Rev. 11/88)

STATE OF MONTANA
APPLICATION FOR EMPLOYMENT
AN EQUAL OPPORTUNITY EMPLOYER

The information contained on this form is sought in good faith. It will not be used in any way to discriminate against any applicant for employment in violation of state or federal law.

FOR STATE USE ONLY

INSTRUCTIONS:
Please complete this application by typing or printing in ink. Pages 1, 4 and 5 must have original information with an original signature for each position you apply for. You may submit a photocopy of pages 2 and 3 of a previously completed application. An application believed to the position is to your advantage.

PLEASE READ THE JOB VACANCY ANNOUNCEMENT CAREFULLY TO FIND:
(1) what attachments must be submitted in order for your application to be considered (resumé, application supplement, DD 214, SF15 certification, etc.),
(2) where to submit your application,
(3) the required special qualifications or licenses,
(4) the closing date for receipt of applications.

Section 16 of this form may be used to continue or explain answers or to provide other information relative to your qualifications or availability.

INCOMPLETE or UNSIGNED applications will not be considered. Do not write in shaded areas

8. This section must be completed for each position you apply for (See Job Vacancy Announcement)

Agency
Division
Job Title
Position No.
Job Location
Date You Are Available

1. Name (Last First M.I.)
2. Social Security No.
3. Address (Street / City / State / Zip Code)
4. Phone No. (Work / Home)

6. If required for this position: (see Job Vacancy Announcement)
a. Do you have a valid driver's license? ☐ Yes ☐ No
b. Commercial driver's license? ☐ Yes ☐ No
c. Are you willing to travel overnight? ☐ Yes ☐ No

Are you willing to accept: ☐ Full time ☐ Part time (less than 40 hr/week)
☐ Temporary (9 mos. or less). Dates available: _____ to _____ ☐ Job sharing ☐ On call
☐ Day shift ☐ Other than day shift ☐ Rotating shifts ☐ Seasonal

7. The State of Montana is committed to make reasonable accommodation to any known disability that may interfere with an applicant's ability to compete in the selection process or an employee's ability to perform the duties of the job. If you would like us to consider any such accommodation, please attach a description of the desired accommodation.

9. The State of Montana complies with the Veteran's and Handicapped Person's Employment Preference Act which provides preference in public employment for certain military veterans and handicapped persons or their eligible spouses. Contact your local Vocational Rehabilitation Services Office (Dept of Social and Rehabilitation Services) for details on obtaining handicapped person's certification. For more information contact your local Job Service. If you are claiming this employment preference, you must complete Section 15 on the last page of this application.

AGENCY USE ONLY
JS MO WT PERF ORAL PHYS REF OTHER
EVALUATION:

ACTION: Hired, Withdrew, Other
Effective Date

Position Title:

PAGE 2

9. EDUCATION

a. HIGH SCHOOL RECEIVED:
☐ Diploma or Equivalency Certificate
☐ None — If "NONE," ENTER HIGHEST GRADE COMPLETED

b. NAME/ADDRESS OF HIGH SCHOOL AWARDING DIPLOMA OR EQUIVALENCY CERTIFICATE:

c. COLLEGE or UNIVERSITY, LOCATION	DATES ATTENDED	CREDIT HRS EARNED sem. qtr.	DEGREES RECEIVED (BA, MA, etc)	DATE of degree	MAJOR FIELD	MINOR FIELD

d. Other Schools or Training Courses Which Help You Qualify NAME, LOCATION	DATES ATTENDED	DID YOU COMPLETE?	TITLE/DESCRIPTION OF COURSE	TOTAL HOURS

10. LIST PROFESSIONAL LICENSES, REGISTRATION, OR CERTIFICATIONS (engineering, medical, CPA, etc.)

a. NAME and COMPLETE ADDRESS OF LICENSING AGENCY	b. TYPE OF LICENSE	c. ENDORSEMENT/RECIPROCITY/JURISDICTION (if applicable)	d. DATE LICENSED

11. If applying for skilled craft jobs, are you a recognized Journey Level Worker? ☐ YES ☐ NO

If "Yes," what craft or trade? _____ When received? _____

12. SPECIAL SKILLS — Check the skills you possess. Specify speed/errors where requested.

☐ Typing ___/___ ☐ Data Entry ___/___ ☐ Medical Terminology
☐ Shorthand ___/___ ☐ Ten-Key by Touch ☐ Legal Terminology
☐ Computer Language (specify) _____ ☐ Other _____

13. EQUIPMENT — List types of equipment you can operate and specify name or model you have used (e.g., word processor, computers, etc.)

_____

_____

_____

PAGE 4

15. If you are claiming preference under the Veteran's and Handicapped Person's Employment Preference Act (see also Section 8, page 1):

Do you claim employment preference as (check one of the boxes below):
☐ 30% or more disabled veteran? ☐ Viet Nam veteran? ☐ Other campaign or war veteran?
☐ Handicapped person certified by SRS? ☐ Spouse of totally (100%) disabled person?
☐ Unremarried spouse of MIA, POW, or person who died from a service-connected disability or who died while on active duty?

If claiming preference as a veteran or disabled veteran:

a. Date entered active U.S. Armed Forces: _____ Date separated from active service: _____

b. Have you served in a peace-time campaign or expedition for which a campaign badge is authorized?
☐ YES ☐ NO If "YES," give name of badge: _____

c. Type of separation/discharge: ☐ honorable ☐ under-honorable conditions or other ☐ dishonorable

d. Do you have a 30% or more disability rating from the Veteran's Administration? ☐ YES ☐ NO

If you checked one of the boxes above:

a. Are you a U.S. citizen? ☐ YES ☐ NO

b. Are you a Montana resident? ☐ YES ☐ NO If "YES," date residency established: _____

c. Are you eligible for or receiving a military or publicly supported retirement (other than Social Security)?
☐ YES ☐ NO If "YES," explain: _____

16. CONTINUATIONS/EXPLANATIONS (refer to Item # being continued or explained)
Item # _____

17. *I hereby certify that all information on this and all attached pages (checked below) is true, correct, and complete to the best of my knowledge and contains no willful falsifications or misrepresentations. I am aware that falsifications or misrepresentations may disqualify me from consideration for employment with the State of Montana or, if hired, may be grounds for termination at a later date. In the spaces below, I have checked attachments, including those required in the job vacancy announcement. Incomplete or unsigned applications will not be considered.*

☐ ADDITIONAL EMPLOYMENT EXPERIENCE FORM (PD-30) ☐ TRANSCRIPT
☐ APPLICATION SUPPLEMENT ☐ RESUMÉ ☐ DD 214 ☐ SRS CERTIFICATION
☐ OTHER (specify)

SIGNATURE: _____ DATE SIGNED: _____

AGENCY USE:

PAGE 3

14. EXPERIENCE:
Begin with your present or most recent job and list your work experience with emphasis on experience that is relevant to the position you are applying for. Include military service and any volunteer work which has provided experience that would help you qualify. List each promotion as a separate position. Use Additional Employment Experience forms (PD-30) as necessary. If the block provided below is not an adequate amount of space, you may respond to this section on a separate sheet of paper if all questions in the blocks are answered and the same format is followed. This information must be completed even if a resumé is submitted.

Notice to applicants: Information that you provide on this application is subject to verification. Previous employers may be contacted as references.
Do you want to be informed before we contact your present employer? ☐ YES ☐ NO

Name & Complete Address of Employer _____ Type of Business _____ Dates ___/___ to ___/___ Highest Salary $ _____
Immediate Supervisor _____ ☐ Full time ☐ Part time
Phone No. _____ ☐ Volunteer Average hrs. per week: _____
Describe your duties in detail (job title, knowledge, skills, abilities required, employees supervised, accomplishments)

Reason for Leaving: _____

Name & Complete Address of Employer _____ Type of Business _____ Dates ___/___ to ___/___ Highest Salary $ _____
Immediate Supervisor _____ ☐ Full time ☐ Part time
Phone No. _____ ☐ Volunteer Average hrs. per week: _____
Describe your duties in detail (job title, knowledge, skills, abilities required, employees supervised, accomplishments)

Reason for Leaving: _____

APPLICANT SURVEY

PAGE 5

Title VII of the U.S. Civil Rights Act requires the State of Montana to make and keep records relevant to the determinations of whether unlawful employment practices have been or are being committed." This is also a requirement of the Montana Human Rights Act. The following survey helps to fulfill these requirements.

This applicant survey will be separated from your application. The survey information will be kept confidential, used only for computerized statistical reports and other lawful uses. Analysis of the information you and others provide will be used to monitor recruitment and selection practices in state government.

Position Closing Date _____
Name _____ Social Security Number ___ ___ ___
Job Applied For: Agency _____ Job Title _____
Location _____ Position No. _____

How did you first learn of this position?
☐ Newspaper ad or journal ad ☐ Community Organization _____
☐ A friend ☐ Fellow, minority, or handicapped referral organization
☐ Job Service ☐ Other (specify) _____

☐ Male ☐ Female Date of Birth (month/day/year): ___/___/___

RACE/ETHNICITY
Please check the one box that best describes your race/ethnicity:

☐ **WHITE** (not of Hispanic origin)
A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

☐ **BLACK** (not of Hispanic origin)
A person having origins in one of the black racial groups of Africa.

☐ **SPANISH (HISPANIC)**
A person having origins in Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Cultures, regardless of race.

☐ **ASIAN or PACIFIC ISLANDER**
A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippines, and Samoa.

☐ **AMERICAN INDIAN or ALASKAN NATIVE**
A person having origins in any of the original peoples of North America who maintains cultural identification through tribal affiliation or community recognition.

VETERAN or HANDICAPPED STATUS

1. HANDICAPPED: ☐ YES ☐ NO
If "YES," check any major disability you have:
☐ hearing impairment ☐ visual impairment
☐ mobility impairment ☐ mental impairment
☐ other ☐ multiple disabilities

2. Check the one box that best describes your veteran status:
☐ 30% or more disabled veteran
☐ Viet Nam Veteran
☐ other campaign or war veteran
☐ other veteran

Check the one box that best describes your discharge/separation:
☐ Honorable
☐ under honorable or general or bad conduct
☐ dishonorable
Discharge date (month/day/year): ___/___/___

If you claimed preference on item 15, page 4, please make sure the information is identical.

3. Check the one box that best describes your status as a spouse of a:
☐ veteran who is a MIA or POW
☐ veteran who died on active duty or as a result of a service-connected disability
☐ totally disabled person or 100% disabled veteran

4. Do you have certification from the Department of Social & Rehabilitation Services or the Veterans Administration for employment preference? ☐ YES ☐ NO

Davis, 444-3796 or Linda Currie, 444-3886.

Policy Inquiry

Question:

Howard, a systems analyst employed by the state, did not report to work when extreme weather conditions shut off his electricity. He later explained to his supervisor that he spent the morning fueling his wood stove to keep the pipes from freezing. Howard listened to the radio reports throughout the morning. Although the situation was described as a "local emergency", reporters said that state offices were opened for "business as usual".

By noon, Howard's electricity had been restored and he decided to return to work. When he arrived, he learned that the governor had declared a state of emergency and had closed local state government offices. However, he decided to remain at his office, hoping to "catch up" with his work load.

When he completed his time sheet that week, Howard was disturbed to find that he had to use annual leave, compensatory time or take leave without pay for an absence that he believed was "an emergency situation" beyond his control. In addition, he felt that he was entitled to receive additional pay or compensatory time for hours worked during the declared emergency. Howard asked his supervisor for an explanation about compensation during emergency situations.

Answer, page 7.

Agencies To Adopt Drug-Free Workplace Policies

On November 18, 1988, President Reagan signed the Anti-Drug Abuse Act of 1988. The Drug-free Workplace Act is part of that omnibus federal legislation. Beginning on March 18, 1989, the Drug-free Workplace Act requires employers who contract with or receive grants from federal agencies to certify that they will meet certain requirements for providing a "drug-free workplace." Making the certification will be a prerequisite to receiving a contract or grant from a federal agency. In addition, employers that fail to meet the drug-free workplace require-ments will face harsh penalties, including ineligibility to receive further grants or contracts.

Under the act, the contractor or grantee must certify that it will provide a drug-free workplace by:

1. Publishing a statement to that effect;

2. Requiring that the statements be distributed to all employees;

3. Establishing a drug-free awareness program to inform employees about the dangers of drugs;

4. Notifying the contracting or granting agency within 10 days after receiving notice from an employee or otherwise learning of an employee's criminal drug statute conviction for conduct in the workplace;

5. Imposing a sanction on or requiring satisfactory participation in a drug abuse assistance or rehabilitation program for any employee convicted; and

6. Making a "good faith" effort to continue to maintain a drug-free workplace.

The act does not require or specify any of the following:

1. A drug testing program;

2. Specific disciplinary actions for violations of the prohibition against using or dealing in drugs in the workplace. The requirements for certification assume the employer has or will adopt disciplinary rules for violations of its policy;

3. The content of the employer's drug awareness program or drug rehabilitation program.

The State Personnel Division has provided the model policies and employee memoes to agencies.

If you have questions about the implementation of this new federal law, call Gale Kuglin, 444-3984.

THE AVERAGE EXECUTIVE SPENDS 150 hours a year (almost 4 weeks) looking for misplaced or mislabeled items. An inordinate amount of time (22% of the workday) is also spent on reading and writing memos.

Inc., Briefcase, 1/89

Network Meeting Scheduled

The Personnel Policy Network will meet at 8:30 a.m. Friday, March 31 in the Personnel Division Conference Room (Room 136), Mitchell Building.

Agenda items include a report on classification issues and a legislative update.

For more information about this meeting or if you would like to add to the agenda, call Liz Hayden, 444-3983 or Harold Gilbertson, 444-3789.

Legislative Update

The following is a partial list of legislation that is tracked by the State Personnel Division, Department of Adminsitration. To receive an update about the status of these bills or to obtain additional information, call Legislative Council information at 444-4853.

HB 0026 (Peck) - Include University and VoTech under State Payroll (in Senate, State Adminstration).
HB 0089 (Peck) - Revise and Clarify Provisions of PERS (signed by governor).
HB 0139 (Simon) - Revise Foreign Travel Expenses (signed by governor).
HB 00234 (Spaeth) - Revise PERS Formula for Calculating Benefits (transmitted to senate).
HB 0235 (Spaeth) - PERS Purchasing Additional Service (signed by governor).
HB 0270 (Ramiriz) - Establishing Electronic Bullentin Boards In Department of State Government (transmitted to governor).
HB 0307 (Cocchiarella) - In-State Meal Reimbursement (second reading, House).
HB 0421 (Nelson) - Post-retirement Adjustment for Certain Employees (signed by governor).
HB 0508 (Darko) - Rehiring of Injured Workers (did not pass Senate).

(continued on page 6)

LEWIS AND CLARK TRAIL RUN

a sister centennial CELEBRATION

By special invitation from Booth Gardner, Governor of the State of Washington, a Montana State Team will participate in this exhilarating 500-mile, 8-day road relay race along Washington's scenic and historic Lewis & Clark Trail. The state Wellness Program is organizing a team among state employees. Here's how you can join.

date time and place April 2 - 9 Staggered starts begin at 6 a.m. Ultra runners' start time to be determined. The route covers 500 miles, from Clarkston across Washington to Cape Disappointment.

entry categories **Race Teams** will run the full 500-mile course in eight days. There are three categories: Relay Team, Ultra Team, and Ultra Solo.
Run Teams will run any one-day portion of the course. There are three categories: Relay Team, Ultra Solo, and Wheelchair Solo.

course The Trail Run will follow a scenic route on highways, roads, streets, and paths along or adjacent to the route followed by the Lewis & Clark Expedition in 1805 and 1806. It consists of eight "treks," one for each of the eight days.

If you are interested in competing on a Montana State Government Team, call Vi Pigman at 444-3809.

HB 0513 (Rice) - Waste Hot Line (tabled in committee).

HB 0614 (Wyatt) - Telecommunication Equipment and Services to Handicapped (in Senate, Finance and Claims).
HB 0648 (Cobb) - Pay Schedules (tabled in committee).
HB 0700 (Pavlovich) - Veterna's Preference (second reading, Senate).

HB 0714 (Brown) - Montana Combined Charitable Campaign (tabled in committee).
HB 0719 (Menahan) - Limit Contracting of State Services (did not pass Senate).
HB 0786 (Addy) - Establish Compensation for state employees, FY 1990 and 1991 (transmitted to Senate).

HJR 0028 (Stickney) - Gender Balanced Appointments (second reading, Senate).
SB 0049 (Rasmussen) - Clarify Group Benefits for Seasonal and Tempo (signed by governor).
SAB 0058 (Beck) - Repeal Sunset on Sick Leave Fund (signed by governor).
SB 0095 (Rasmussen) - In-State Travel Allowance (second reading, House).
SB 0165 (Brown) - Gov. Appointment of Deputy Director's and Division Administrator's (tabled in committee).
SB 0293 (Mazurek) - Racial Harassment (to Senate for amendment approval).
SB 0373 (Pinsoneault) - Blood and Urine testing - Employment (did not pass Senate).

SB 00426 (Rasmussen) - Entire Public Place as Nonsmoking Area (second reading, House).
SB 0429 (Thayer) - Withhold Wages from Employee -- Theft (second reading, House).
SB 0437 (Norman) - Sexually Transmitted Diseases (returned to Senate with amendments).
SB 0353 (Cobb) - Committee on State Employee Compensation (second reading in House).
SB 0152 (Beck) - Pay Increases for Certain State Employees (tabled in committee).

Comp Time Amendment Withdrawn

Based on public comment and testimony, a proposed amendment to Exempt Compensatory Time, Policy, 3-0211 MOM, Volume III, will not be adopted as rule.

The State Personnel Division was asked to formulate rules which would, in certain circumstances and for specific employees, allow an extension of the work week.

If you have questions about the Exempt Compensatory Time policy or other personnel policies, call the Employee Relations Bureau, 444-3871.

Comparable Worth Report Issued

The 1989 report to the Legislature on comparable worth in Montana state government indicates that 92% of state employees are paid according to the concept of equal pay for work of comparable value. The other 8% are paid according to collective bargaining agreements.

"Comparable worth" is a pay policy under which jobs are paid according to their relative worth to the employing organization. To establish a comparable worth system, it is necessary to have some means of measuring the relative difficulty (or worth) of all jobs within the organization, and to base pay on the resulting hierarchy. Montana's Classification Plan (which covers 92% of the non-exempt positions) does this. Jobs are grouped into classes and classes are assigned to pay grades based on how they compare to each other.

The report stated that while positions covered by the Classification Plan come close to meeting a standard of comparable worth, the existence of separate collectively bargained positions is a problem. Positions covered by the Blue Collar Plan, for example, receive higher pay than comparable positions covered by the Classification Plan.

The report included a study of the wage gap -- or the difference in average salaries earned by males and females. This study revealed that the wage gap has narrowed slightly since the 1987 report was issued. The average salary for female state government employees is 78% of that for males. Males earn about 3% more than females because of greater length of service in state government. The other 19% difference stems from sex segregation in jobs.

Females dominate clerical and paraprofessional classes that require little or no formal training beyond high

school. They also dominate technical classes that require extensive on-the-job specialized training. Males dominate all other categories, including professional and administrative classes which are graded highest.

When salaries for comparable male and female dominant jobs in Montana are compared to those in other states--some of which have made costly adjustments to bring female salaries into parity -- Montana appears to be closer to achieving a standard of comparable worth than many other states. Without a point-factoring job evaluation system, however, this is difficult to illustrate.

The report indicated that lack of a quantified job evaluation methodolgy and the existence of separate pay plans were two impediments to achieving the standard of comparable worth required by 2-18-208, MCA.

For more information call Lana Loughrie, Classification Bureau, at 444-3854.

CRITICISM IS MOST CONSTRUCTIVE IF YOU: 1) Wait until you're in a calm frame of mind before criticizing. Blowing up at someone who created a problem only makes it worse. 2) Avoid small talk and get straight to the point. Beating around the bush only heightens anxiety on the part of the person being criticized. 3) Allow the person being criticized to help create a solution to the problem. That encourages cooperaton, which in turn lessens the chance that the problem will arise again.
Andrew Sherwood, Briefcase, 1/89.

Policy Inquiry

interpretation:

Howard's supervisor discussed these concerns with their agency personnel officer. He referred to Disaster and Emergency Leave, Policy 3-0321, Montana Operations Manual, Volume III. This policy specifically addressses leave during declared or personal emergency or disaster situations.

The personnel officer pointed out that the governor has the authority under 1-03-302 and 10-3-303, MCA, to declare a disaster or emergency in the state. Once a disaster has been declared, employees who are affected by the disaster or emergency receive paid leave of absence which is not charged to any of their personally accrued leave or compensatory time. Pursuant to ARM 2.21.308, employees who, like Howard, voluntarily remain at work are paid their normal salary and do not receive additional leave or compensation.

During the morning hours that Howard stayed home, the governor had not yet declared an emergency or disaster situation. At that time, Howard's office was not affected by the power outage and work continued as usual. For the purpose of determining compensation for the hours that Howard stayed home, his situation is considered a personal rather than declared emergency or disaster and ARM 2.21.309 is applicable. Howard must take annual leave, compensatory time or leave without pay for the regularly scheduled work hours that did not report to work.

Had management determined that Howard was an essential employee during the declared emergency and had he been requested to work following the governor's declaration, he would have been paid hour-for-hour compensatory time in addition to his normal salary pursuant to ARM 2.21.308.

For additional information about the Disaster and Emergency Leave policy or about other personnel policies, call the Employee Relations Bureau, 444-3971.

Benefits Advisory Council Meets

Dan Imming, the Group Health Benefits Plan consultant, provided an update on projections of revenue shortfalls for the self insured health and dental plans to the State Employee Group Benefits Advisory Council which met on February 16. He reviewed projected claims costs and discussed possible cost saving measures.

Laurie Ekanger, council chair, pointed out that, based on current projections, the shortfall per employee would be approximately $18.00 for the 1990 benefit year and $21.00 for the 1991 benefit year.

Joyce Brown, Employee Benefits Bureau, presented a

number of possible deficit reduction measures and the projected cost savings of each plan.

Bill Crowley from Nationwide, Inc. updated the council on the investment performance of the deferred compensation funds. Randy Pugh, Employee Benefits Bureau, reported that Nationwide indicates that diminimus withdrawals are no longer permitted under federal tax law. Withdrawals of account balances of less than $3,500 had been allowed for individuals who determined the program did not satisfy their needs, provided that they agreed not to enroll in the plan in the future.

The council interviewed companies who applied to become the plan consultants on March 14.

For more information about the Benefits Advisory Council meeting, call Joyce Brown at 444-3871.

HEALTH-BEAT

Cultivating A Stress-Resistant Attitude

It may be very difficult for people working in a large bureaucracy to seek out challenges, feel at one with what they're doing, or have a sense of control over their jobs. Lack of these traits can contribute to high stress levels.

Fortunately, there are many attitude changes you can make to increase your stress resistance:

Change your expectations. The difference between your expectations and reality is the measure of how much stress you will experience at a given point in time. If you start the day with the understanding that the world is constantly changing, that nothing holds still and that the new day holds new possibilities and challenges, you're going to experience very little stress. But if you assume everything will be the same today as it was yesterday, you'll experience a lot of stress.

Stop expecting to be perfect either at home or on the job. Discard all notions of perfection; it's not realistic!!

Expand your support system. Insist on more support from your family or friends if you're not getting enough.

Find a mentor. Imitate others who have a positive outlook and make them your mentors. Watch how they cope with problems and try out their methods.

Be objective. When something really upsetting or disappointing happens, sit down and chat with someone you trust and see what was really going on. Look at the problem as if it were happening to a friend. Tell yourself what you would tell him or her.

Have a healthy attitude towards your job. Doing too little at work is as stressful as doing too much. Find a small project you can identify with and give it your loving attention. Remember that this is your time to be alive. By spending eight hours a day trying to defeat a system, you'll only end up defeating yourself.

For information about Wellness programs for state government employees, call Linda Kaiser, Wellness Officer, 444-3946.

APRIL CLASSES

Pre-Retirement Planning

This two-day seminar, jointly sponsored by PERD and PDC will be held in the Coach House Inn East, April 5 and 6. The seminar will begin at 9 a.m. and end by 4:30 p.m. daily. Cost is $50 for anyone covered by Public Employees Retirement System, and spouses are urged to attend. There **is no charge** for spouses.

Legal Issues In Management

About a year ago a major portion of the Essentials of Management curriculum was rewritten and a new topic added which was entitled **Protecting**. The class was intended to address some very touchy issues managers might face, such as Sexual Harassment Prevention, EEO, Affirmative Action, etc. Since then, several graduates of the original Essentials class have asked how they could pick up the Protecting class. This is it. This class will be offered on April 6, in the Montana Training

Center, Lee Metcalf Building, from 8:30 a.m. - 4:30 p.m.. Cost is $55.

Performance Standards and Appraisal
This day-long seminar is aimed at helping supervisors develop performance standards to more effectively evaluate employees, and learn the tried and tested methods for conducting performance appraisal. It will be presented from 8:30 a.m. - 4:30 p.m., April 11, in the Montana Training Center, Lee Metcalf Building. Cost is $55.

Attitude Adjustment
This is a new seminar that is aimed at helping you get the most from your work and your life. It addresses the issues of self-direction, self-control, self discipline, self projection, and self-affirmation. It will be presented, April 25, in the Lee Metcalf Building from 8:30 a.m.- 4:30 p.m.. Cost will be $65, and the instructor will be James Burgess of Professional Resources, a consulting firm in Helena.

Contemporary Writing Skills
This popular writing skills class, presented by John Moore, will be offered in the Lee Metcalf Building, April 26, from 1 p.m. - 4:30 p.m. The class continues on April 27, from 8:30 a.m. to noon. Cost is $55.

Achieving Secretarial Excellence
The week of April 17 is National Secretaries Week and in recognition of that event, the U.S. Office of Personnel Management will be presenting a special seminar in Helena and Bozeman for all secretaries and administrative assistants. The class is really four workshops in one, and the individual workshops will cover: projecting a professional image, building positive communication skills, making time work for you, and building personal power. Cost of these day-long seminars will be $60 and **includes a luncheon**. The locations are:

Helena - Colonial Inn
Bozeman - GranTree Inn

CLASSES OUTSIDE HELENA
There will be a number of seminars and classes presented outside the Helena area during April. These are:

Who Should I Hire? This will be at the Red Lion Inn, **Missoula**, on April 13, from 8:30 a.m. to Noon. Cost $40.

Documenting Disciplinary Actions on April 13, from 1 p.m. - 4:30 p.m. at the Red Lion Inn, **Missoula**. Cost $40.00. John Moore will be the seminar leader.

AIDS and the Manager will be presented at the Rodeway Inn **Billings**, from 8:30 a.m. - 4:30 p.m., April 12. It will also be presented at Miles Community College, **Miles City**, from 8:30 a.m. - 4:30 p.m., April 13. Cost is $55.

Secrets of SBAS will be offered in **Billings** at the Ponderosa Inn from 8:30 a.m. - 4:30 p.m., April 19. Chuck Wetterling will be the instructor. This class has been repeatedly asked for by state employees based in and around Billings so register early by telephone. Cost will be $60.

Anyone desiring further information about these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749.

ACKNOWLEDGEMENTS

The State Personnel Division thanks the following people who provided articles and assistance for this issue of Montana Personnel Perspectives:

Joyce Brown
John Camper
Mark Cress
Linda Currie
Harold Gilbertson
Jeanette Handelin
Gale Kuglin
Linda Kaiser
Lana Loughrie

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 444-3983.

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Info Resources (1)

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Volume VIII, Number 12 April, 1989

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PLEASE RETURN

5/1/89
ROUTE TO:
KB ✓
HC
D&C ✓
DF
DH: ✓
RETURN TO: DS ✓ (then DF for collection)

EEOC Issues Standards for Evaluating Sexual Harassment Charges

The Equal Employment Opportunity Commission (EEOC) issued a memorandum to help employers define sexual harassment and evaluate their liability for such conduct under Title VII. The memo clearly points out that a sexual harassment policy and other preventive steps taken by the employer can reduce potential liability. The memo sets standards for evaluating sexual harassment charges in accordance with the 1986 Supreme Court ruling in Meritor Savings Bank v. Vinson.

The memo discusses in detail the following issues and concerns:

- **Determining whether alleged sexual advances were unwelcome;**
- **Assessing the credibility of the complainant and the alleged harasser (evaluating evidence);**
- **Determining whether alleged harassment creates a hostile environment (including isolated and nonphysical incidents and sex-based harassment);**
- **Evaluating liability for sexual harassment by a supervisor;**
- **Establishing components for an effective program to prevent sexual harassment.**

In addressing these issues in the Vinson case, the EEOC emphasizes that voluntary submission to sexual conduct does not necessarily defeat a claim of sexual harassment. With conflicting evidence, claims are strengthened if a report or protest is made by the charging party while the harassment is ongoing or immediately thereafter.

An employer's liability will be minimized under the above circumstances if an effective internal investigation or reporting procedure exists and is clearly and often communicated to all employees.

However, employer liability will not automatically be lessened on the basis of "ignorance" of the alleged harassment. If victims are not encouraged to object to management, or if sexual harassment is not promptly addressed in the workplace, the employer liability rises. The absence of a reporting process can lead to a claim of "hostile" work environment because the issue is ignored or not given credibility.

In the case of sexual harassment by a supervisor, employers will be held liable for acts of *"quid pro quo"* harassment. This occurs when a supervisor uses his or her authority to hire, fire or promote in return for sexual considerations or because of lack of sexual acquiescence.

If confusion exists concerning whether the supervisor was acting within the scope of his or her employment, an employer's failure to stop work-related sexual misconduct, once aware of it, will bring the actions within that scope and result in employer liability.

Employers are also responsible for supervisor actions which appear to be authorized. This apparent authority will be found where the employer has neither a widely distributed and consistently enforced policy against sexual harassment nor an effective grievance procedure. Employers can limit a supervisor's apparent authority by implementing and maintaining an effective reporting procedure.

If a victim of sexual harassment fails to use an established reporting procedure, the employer may be liable for supervisory sexual misconduct if the employer learns about it and does not take remedial action.

The best method of reducing employer liability is to have an explicit sexual harassment prevention policy which includes a reporting procedure. This policy must be made known and explained to all employees and must always be implemented when a sexual harassment report arises. The employer must make it known that he stands behind and utilizes the policy.

Any procedure for solving sexual harassment reports should ensure confidentiality, provide effective remedies, and guard against retaliation. The employer must do whatever is necessary to end the harassment and prevent a recurrence.

The complete text of the EEOC policy memorandum has been sent to state agency EEO officers. For additional information on sexual harassment prevention, call Linda Davis, 444-3796 or Linda Currie, 444-3886 at the Employee Relations Bureau.

Legislative Update

The following is a partial list of legislation that is tracked by the State Personnel Division, Department of Adminsitration. To receive an update about the status of these bills or to obtain additional information, call Legislative Council information at 444-4853.

HB 0026 (Peck) - Include University and VoTech under State Payroll (Senate concurred with amendments. Sent to enrolling.)

HB 0089 (Peck) - Revise and Clarify Provisions of PERS (Signed by governor, 3/20.)

HB 0139 (Simon) - Revise Foreign Travel Expenses (Signed by governor, 3/21.)

HB 0234 (Spaeth) - Revise PERS Formula for Calculating Benefits (Signed by governor, 4/15.)

HB 0235 (Spaeth) - PERS Purchasing Additional Service (Signed by governor, 3/13.)

HB 0270 (Ramirez) - Establishing Electronic Bulletin Boards in Departments of State Government (Signed by governor. Effective 10/1/89.)

HB 0370 (Cocchiarella) - In-State Meal Reimbursement (Vetoed by governor.)

HB 0421 (Nelson) - Post-retirement Adjustment for Certain Employees (Signed by governor, 3/16. Effective 7/1/89.)

HB 0614 (Wyatt) - Telecommunication Equipment and Services to Handicapped (In Senate, Finance and Claims.)

HB 0700 (Pavlovich) - Veterna's Preference (Third reading in Se; conference committee report adopted.)

HB 0786 (Addy) - Establish Compensation for state employees, FY 1990 and 1991 (Scheduled for second reading, Senate, 4/18. The House has passed amendments which allow adjustments in pay for nurses.)

HJR 0028 (Stickney) - Gender Balanced Appointments (Filed with Secretary of State on 3/30.)

SB 0049 (Rasmussen) - Clarify Group Benefits for Seasonal and Temporary employees (Signed by governor, 3/20. Effective 3/20/89.)

SB 0058 (Beck) - Repeal Sunset on Sick Leave Fund (Signed by governor on 3/11. Effective 6/30/89.)

SB 0095 (Rasmussen) - In-State Travel Allowance (Free Conference Committee appointed in Senate.)

SB 0293 (Mazurek) - Racial Harassment (Passed Senate and House.)

SB 00426 (Rasmussen) - Entire Public Place as Nonsmoking Area (Signed by governor, 3/26. Effective 4/5/89.)

SB 0429 (Thayer) - Withhold Wages from Employee -- Theft (Passed Senate and House.)

SB 0437 (Norman) - Sexually Transmitted Diseases (Passed Senate and House.)

Personnel Network Meets

The Personnel Policy Network met on March 31 on the following:

Retirement Legislation Update

Linda King, Assistant Administrator, Public Employees' Retirement Division, presented an update on legislation affecting the Public Employees' Retirement System (PERS). Ms. King described in detail the provisions of the following bills:

HB 89 General revisions to the PERD-administered retirement systems. (Effective 3/20/89; retroactive beginning 1/1/89.)

HB 141 Public administrators paid on a fee basis. (Effective 7/1/89.)

HB 159 Transfers between PERS and TRS. (Awaiting signture of the govrenor.)

HB 234 PERS Formula Change. (Signed by the governor on April 15.)

HB 235 Allows PERS members to purchase one year for every five years of membership service. (Effective 3/13/89.)

HB 302 GWRS minimum retirement allowance. (Effective 7/1/89.)

HB 421 Automatic post-retirement adjustments for PERS, TRS, SRS, and GWRS. (Effective 7/1/89.)

HB 531 Remarried surviving spouse to receive benefits. (Effective 7/1/89; retroactive to 1/1/89.)

HB 533 Permit certain disability retirement allowances to be converted to regular retirement allowances. (Effective 3/18/89.)

SB 356 Expand veterans definition to include Special Forces and Merchant Marine. (Passed Senate and House. Awaiting signature of the governor.)

For additional information about these bills, call Linda King at 444-3154.

Personnel Legislation Update

Laurie Ekanger, State Personnel Division administrator, discussed legislation that impacts personnel issues, practices and policies. (See related article in this issue.) She noted the major changes caused by HB 700 ("The Veteran's Preference Bill") for state and local government agencies. Ms. Ekanger reported passage of the following:

SB 58 (removes the sunset date for the Sick Leave Fund); **HB 533** (permitting certain disability retirements to be converted to service retirements); **SB 75** (providing for audits of state

employee group benefit plans every two years); and **SB 49** (clarifying group benefits for seasonal and temporary employees).

For more information about legislation affecting personnel issues in state government, contact the Employee Relations Bureau at 444-3871.

EEO

Linda Davis, EEO Coordinator, presented an update of activity in EEO/AA. She noted that new state applications have been distributed and are now in use by agencies. (See related article, Personnel Perspectives, March 1989.) Ms. Davis discussed new Vacancy Announcements and recruitment procedure guidelines, and pointed out that EEOC has issued a new poster which may be ordered by calling toll free 800-USA-EEOC.

For more information about EEO/AA issues or activities, call Linda Currie at 444-3886 or Linda Davis at 444-3796.

Classification

John McEwen, bureau chief of the Classification Bureau, discussed proposed changes that would affect review requests by agencies. The proposed rule would require that a questionnaire be submitted with each position classification review request. Mr. McEwen also presented a proposal to use a market factor in the classification and pay system. (See related articles in Personnel Perspectives, March, 1989.) A task force will explore the impact and workability of the market factor proposal. Members include Tom Gooch (Department of Institutions), Barb Charlton (Department of Commerce), Tripp Hammer (Department of Justice), Lana Loughrie (Personnel Division, Department of Administration), Joyce Brown (Labor Relations and Benefits Bureau, Department of Administration) and John McEwen.

For more information about these proposed changes, call John McEwen at 444-3894.

Benefit Question

Dave is 60 years old and plans to retire next month from his position with state government. He asks the agency Personnel Officer, "What affect will retirement have on my State Group Insurance benefits?"

(Answer, page 6.)

HEALTH-BEAT

Headaches Come in All Shapes and Sizes

Millions of Americans suffer chronic headaches. This common ailment leads to 160 million lost work days each year. But, not all headaches are equal. There are specific kinds, causes and remedies for that pounding pain between the ears.

Tension Headaches

Muscle contraction ("tension") headaches are the sparrows of the headache world -- common and widespread. In the absence of the other symptoms, almost all headaches fall in this category. They are characterized by tightness and pressure on both sides of the head, all over, or just in specific spots like the forehead or temples. The scalp may be so tender that combing hair or lying down is painful. Tension headaches can become chronic after months and years of stress and tension, or come with occupations which encourage poor posture. Office workers, assembly line employees and computer operators, for example, are prone to tension headaches. Whatever the trigger, muscles in the upper back and neck contract or tighten, blood vessels and nerves in the neck, head and brain respond, and the tension headache is born. Frequently, changing jobs, retiring, or altering personal relationships will cure tension headaches. Aspirin (not for children), massage and relaxation exercises (see below) can help with the common tension headache.

Cluster Headaches

Ninety percent of cluster headache sufferers are men. These headaches are so named because they appear in cycles. The attacks last from

10 minutes to four hours, with one to four attacks in 24 hours. The cycles can last for weeks or months and then may disappear for one or two years. Cluster headache pain may be minor at first but builds to breathtaking intensity. It's usually one-sided, at either temple or around and behind one eye. Tears and nasal stuffiness can accompany a cluster headache cycle. Both go away when the attack subsides. Foods that trigger migraines (see below) also cause cluster headaches, particularly alcohol. In the throes of an attack, some sufferers get relief by dipping one hand in very cold water or raising the head of the bed at night by eight to ten inches. Evaluation by an experienced doctor rules out other neurological problems that are similar to cluster headaches. Medications are available for treatment.

Migraine Headaches

Migraines are the granddaddy of headaches. Children and adolescents get migraines but in adulthood, they are more common among women, especially in those with a family history of the problem. Sometimes there is a warning that a migraine is commencing. Visual flashes or spots appear in front of the eyes 15 - 20 minutes ahead of time. More often, there is no signal before throbbing head pain settles on one side of the head, face or surrounding the eye.

Nausea, vomiting and super sensitivity to light and sound are hallmarks of migraines. Migraines last one to three days and may occur from weekly to several times a year. Stress, menstrual periods and birth control pills are some of the triggers for migraines. Among foods implicated in migraines are aged cheeses, alcohol (especially red wine), liver, cured meats such as bacon, hot dogs and lunch meat, coffee and chocolate. If a headache looks and acts like a migraine, cutting back on these foods is the first line of "treatment." There are also medications to treat migraines. The underlying problem with migraines seems to be a physiological and/or genetic problem with blood vessels in the head and brain that overreact to various factors, triggering headaches.

Chronic Headaches

If you're prone to chronic headaches, there are things to do besides suffering silently (or not so silently). Regular exercise such as walking, swimming or biking helps control headaches. So do hot or cold packs to the neck and shoulder muscles, and relaxation and deep breathing exercises. Biofeedback, where the patient exerts control over heart rate and skin temperature, has shown some success with migraines. It's iffy and many insurance plans won't cover it, so investigate the potential benefit before signing up.

Excedrin Headache Number 37

The boss groans, "You didn't send that report out - the figures were wrong." (The report went yesterday per the boss's orders.) At home, you sit for three hundred hours hunched over a computer screen, figuring up income taxes. The bottom line reads, "You owe us." Two versions of the tension headache begin and Excedrin is no match for either.

Key strategy to avoiding tension/muscle contraction headaches is to head them off at the pass. The following exercise can help and should be done when there's the slightest hint that muscles are starting to tense from stress or working conditions. It doesn't work after your head has already begun to throb with pain.

Pick a quiet place, free from interruptions for five minutes. With eyes closed, sit comfortably in a chair with a back no higher than shoulder level. Relax arms with hands loose and unclenched. Take a deep breath, breathing in through the nose, out through the mouth. Aloud or silently, on a slow count of ten, lower head towards left shoulder. (Count 1 one thousand, 2 one thousand, . . .) Bring head back to center on a slow count of ten. Repeat the count three times, taking the head slowly down and back to the right shoulder, chest and towards the rear. End with a second deep breath.

The exercise works for most people. Some, however, feel silly and it gives them a headache. But it's worth a try because it takes only three minutes and is safer and cheaper than aspirin.

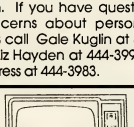
Healthbeat is contributed by the Labor Relations and Benefits Bureau. For information about Wellness programs and

classes at state government, call Linda Kaiser, 444-3946.

(NOTE: this article is reprinted from Health Incentives Newsletter, March, 1989.)

Staff Changes

Harold Gilbertson recently left his position as Personnel Policy Coordinator with the Employee Relations Bureau. He is now employed as an administrative officer in the State Insurance Fund Bureau, Workers' Compensation Division. If you have questions or concerns about personnel policies call Gale Kuglin at 444-3984, Liz Hayden at 444-3993 or Mark Cress at 444-3983.



Benefit Answer

The personnel officer contacted the Labor Relations and Employee Benefits Bureau to answer Dave's question. She found that retirees who are eligible for PERS benefits are eligible to retain some insurance coverage on a self-payment basis. This payment may be made by automatic deduction from a retiree's PERS benefit. Retirees have the option to pay by check on a monthly basis if individual PERS benefits will not cover the premium deduction. Once coverage is cancelled employees will not be eligible to re-enroll in the Group Plan.

A retiree under age 65 retains the medical, dental, and $10,000 of term insurance coverage at the regular group rate. Dependent medical and dental coverage can also be continued. However, retirees cannot continue the elective life insurance or accidental death and dismemberment coverage.

A retiree age 65 and over, or a retiree who is Medicare eligible and under age 65, may retain only medical coverage. Retirees cannot continue the dental and life insurance plans. Medical coverage for dependents may also be continued. The State Medical plan, in this instance, becomes a Medicare carve-out plan and monthly premiums are reduced from the regular group rate. It is important that retirees contact their local Social Security Office to enroll in Medicare as soon as they become eligible. The State Plan will not cover those expenses which would have been paid by Medicare had the individual been properly enrolled.

The State Group life insurance coverage can be converted, without proof of good health, to an individual whole life policy offered by Northwestern National Life Insurance Company. Rates are determined by a retiree's age at the time of conversion. As an example, on January 1, 1989, the annual premium for converting $10,000 of coverage at age 65 was $644.60, including billing charges. A retiree has 31 days from the date of termination of coverage to apply for this conversion. (Rates are subject to change.)

A waiver of the term life premium is available to employees under age 60 who retire due to total disability.

For additional information about the State's Group Insurance Plan and coverage upon retirement, call your agency's payroll office or the Labor Relations and Employee Benefits Bureau at 444-3819.

Employee Handbooks in Short Supply

Central Stores has a limited number of State Employee Handbooks left in stock. When current supplies are exhausted, the handbook will not be available again for some months.

Typically, the handbook is given to new employees, but it contains worthwhile information for all employees regardless of their length of state employment.

To order a supply of handooks, at a cost of 63 cents each, call Central Stores at 444-4514; the order number is 9000-0870.

Work and Family Clearinghouse Opens

The U.S. Department of Labor (USDOL) has opened a clearinghouse to help employers and unions develop policies that respond to the dependent care needs of their employees.

Work and Family Clearinghouse offers information important to workers who must balance job and family responsibilities.

According to the USDOL, the most significant change in

the labor market over the last twenty years has been the rapid influx of women. USDOL projections indicate that over the next decade, two-thirds of all employees entering the workforce will be women. To tap this growing labor pool, employers will have to develop policies to help employees meet their family obligations.

The computer-based information bank at the clearinghouse furnishes profiles for employers' dependent care programs currently in operation. Its "how-to" guides address 26 options, including on/off site centers, family day care, flexible leave policies, maternity leave, financial assistance and public-private partnerships.

In addition, the data base includes national and state information sources, bibliographic references, conference information, research and statistics. The clearinghouse will be expanded to include elder care in the coming months.

For more information, employers, unions, and other interested organizations can contact the Women's Bureau Work and Family Clearinghouse at: U.S. Department of Labor, Room S-3309, 200 Constitution Avenue, NW, Washington, D.C. 20210, (202) 523-4486.

Briefs

Tuesday is the day people do the most work. Wednesday is the next most productive workday. On Friday, the least amount of work gets done.

A VA Study

PDC APRIL CLASSES

A Delicate Balance: Privacy and the Right to Know

How can we strike a balance between the public's right to know, and the individual's right to privacy? That "sticky" question is the subject of this one-day seminar to be presented in the Montana Training Center, Lee Metcalf Building, on Tuesday, May 2, from 8:30 a.m. to 4:30 p.m. Cost is $55. The class is oriented to mid-level managers.

Remote Supervision

Fair and honest evaluation of employees is especially difficult when those employees are located miles away and face to face contact is infrequent. This seminar discusses that problem and others that result from geographically remote supervision. This seminar requires that at least one employee from a remote location attend with each supervisor. The class will be held in the Lee Metcalf Building, Tuesday, May 2, from 8:30 a.m. to 4:30 p.m. Cost is $55.

Righting Your Writing

This popular seminar is conducted by Ray Fenton, management consultant, and can help anyone who wants to improve his or her writing skills. It is a practical course aimed at increasing readability. The class will be conducted in the Lee Metcalf Building, Monday, May 8 from 1-4:30 pm, and on Tuesday, May 9, from 8:30 a.m. to noon. Cost is $65.

You, Inc: Managing Risks

This day-long seminar will benefit anyone who wants to review his or her risk-taking patterns and set the stage for personal and professional growth. It will be presented by Karen McMullen of Metamorphosis, a Missoula management consulting firm. It will be held from 8:30 a.m. to 4:30 p.m., Wednesday, May 10 in the Lee Metcalf Building. Cost is $65.

Managing Conflict

Conflict often arises, either on the job or at home. This seminar will provide the tools to deal with a crisis situation before it becomes a major, disruptive problem. It will be presented by John Moore, lead trainer for PDC, on Thursday, May 18, in the Lee Metcalf Building, from 8:30 a.m. to 4:30 p.m. Cost is $55.

Anyone desiring further information on these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may also register by calling 444-3985.

Briefs

If you must stop work on a project try to stop in the middle of a enjoyable part. Make a written note of where you left off. When you have time to resume you'll get a quick start because you won't dread having to go back to the project.

ExecuTime

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Linda Davis
Jeanette Handelin
Gale Kuglin
Linda Kaiser

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 444-3983.

PROFESSIONAL DEVELOPMENTAL CENTER CALENDAR

May 1	Delicate Balance 2 Remote Supervision	Writing Position Descriptions 3	Take Your Word for It 4 **BOM - Job**	5
8	**BOM - Staff** 9 Righting Your Writing	You, Inc: Mng Risks 10 *AIDS & the Manager - Blue Cross/Blue Shield* **EOM - Leading**	Effect. DiscpProced 11 **EOM - Organizing**	12 Fiscal Year End Procedures
15	Everyday Negotiating Skills 16 **BOM - Problems**	17 Dealing with the Angry Public	Managing Conflict 18 **EOM - Delegating** *One Min Mgr - FVCC*	19
22	23 **EOM - Measuring**	24 **BOM - Choices**	Meetings for Results 25 **BOM - Test**	26
29 MEMORIAL DAY	30	31 **EOM - Controlling**		

Montana Personnel Perspectives is published monthly by the State Personnel Division, Department of Administration. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced without permission. Comments should be directed to "Perspectives Editor" at the address below.

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Montana Personnel Perspectives

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State Personnel Policies and Practices: A Legislative Update

The 51st Session of Montana's Legislature ended on April 24, 1989. Legislators plan to reconvene for a special session on June 19. This session resulted in the passage of many bills that will affect state government employees.

HB 700, "The Veteran's Preference Act", was signed by the Governor on May 11 and becomes effective October 1, 1989. This legislation applies to initial hires and retentions during reduction in workforce. HB 700 separates procedures and definitions that apply to the Veteran's Preference Act from those that apply to the "Montana Handicapped Persons' Employment Preference Act."

The bill provides a termination date of July 1, 1991.

Currently, the Policy Section, State Personnel Division, is drafting new rules based on HB 700. Personnel managers will receive additional information in the near future.

SB 58 "flew through" the legislative process, removing the sunset provision to the state

employee Sick Leave Fund and Advisory Council. The bill becomes effective June 30, 1989. The Sick Leave Fund and Direct Grants continue to operate as they have in the past.

"The Pay Plan Bill," **HB 786**, was signed by the governor on May 11.

The bill provides a salary increase to elected officials and classified state government employees.

Separate pay schedules apply to institutional teachers, liquor store occupations and blue-collar occupations.

An amendment provides for the consideration of problems with recruitment and retention of nurses and other occupations which would allow an adjustment in pay or classification for an employee in that class.

Under **HB 786**, classified employees will receive a pay increase of $560 or 2.5 percent, whichever is greater each year of the biennium. Employer contributions for group benefits will increase to $130 per month for each employee through June 30, 1990, and increase to $150 per month through June 30, 1991. HB 786 establishes pay schedules for fiscal years 1990 and 1991.

Other bills which affect state employees are summarized below. For additional information about these bills call the Employee Relations Bureau at 444-3871.

HJR 28: urging that all appointive boards, commissions, committees, and councils of the state be gender balanced. Filed with Secretary of State, 3/30.

HB 26: requires the state auditor to provide for the inclusion of the units of the university system and the vocational-technical centers into the state central payroll system. Signed 4/20.

HB 89: revising and clarifying the public employees' retirement laws. Signed 3/20.

HB 139: revising provisions regarding travel expenses for persons in state service; allowing reimbursement for meals and lodging of persons in state service traveling to a foreign country; increasing the reimbursement rate for lodging at certain facilities. Signed 3/21.

HB 234: increasing member and employer contributions to the PERS; revising the formula for calculating service and nonduty-related disability retirement allowances under the retirement system. Signed 4/15.

HB 235: permitting certain members of PERS to purchase additional service for the purpose of calculating their retirement allowances. Signed 3/13.

HB 270: requiring the Department of Administration to establish and maintain a centralized electronic bulletin board system. Signed 2/23.

HB 370: increasing the amount authorized for meal reimbursement for state employees while traveling. Vetoed 4/13.

HB 421: providing post-retirement adjustment for certain members of the public employees', teachers', sheriffs', and state game wardens' retirement systems. Signed 3/16.

HB 614: establishing a program to provide specialized telecommunications equipment and services to the handicapped. Signed 5/15.

SB 95: increasing maximum in-state travel allowance and the meal allowance for state employees. Vetoed 5/16.

SB 49: clarifying that seasonal and temporary part-time state employees who regularly work less than 20 hours a week are not eligible for the state group benefits plan. Signed 3/20.

SB 293: prohibiting malicious intimidation or harassment of persons because of race, creed, religion, color, national origin, or involvement in civil rights or human rights activities; enhancing the penalty for other offenses committed because of the victim's race, creed, religion, color, national origin, or involvement in civil rights or human rights activities. Signed 4/18.

SB 426: revising the Montana Clean Indoor Air Act to allow the proprietor or manager of an enclosed public place to designate and reserve the entire area as a nonsmoking area. Signed 4/5.

SB 429: allowing a stay of the payment of final wages due an employee who has committed theft of his employer's property. Signed 4/20.

SB 437: "AIDS Prevention Act" -- mandating that HIV antibody testing be administered only in

conjunction with adequate pretest and posttest counseling; requiring informed consent for antibody testing; providing for confidentiality of HIV test results in a manner consistent with the requirements of the Uniform Health Care Information Act; requiring HIV antibody testing of donors of semen and human body parts. Signed 4/21.

SB 75: providing for an audit of the state employee group benefit plans every two years. Signed 3/14.

HB 141: regarding the calculation of retirement benefits for certain public administrators who elect membership in the Public Employees' Retirement System. Signed 3/13.

HB 159: establishing a formula for determining the amount that must be paid to transfer creditable services between the Public Employees' and the Teachers' Retirement Systems; to include service transferred from the Public Employees' Retirement System as creditable service under the Teachers' Retirement System. Transmitted to Governor 4/24.

HB 302: providing a minimum monthly retirement allowance for certain members of the Montana State Game Wardens' Retirement Systems. Signed 3/18.

HB 531: permitting a surviving spouse who has remarried to receive a service, disability, survivorship allowance under the Montana Highway Patrolmen's, Municipal Police Officers, and Firefighters' Unified Retirement Systems. Signed 3/11.

HB 533: permitting the PER board to convert certain disability retirements to service retirements. Signed 3/18.

SB 356: expanding the definition of "veteran" to include members of the First Special Service force and the American Merchant Marine in oceangoing service during the period December 7, 1941 to August 15, 1945. Signed 4/21.

Barrier Awareness Week Is Recognized

State agencies recognized Barrier Awareness Week, May 8 through May 13, with various activities. The combined efforts of state agency personnel officers and Judy Harris, state coordinator for Barrier Awareness Week, helped illustrate the importance of recognizing and removing barriers that affect people with disabilities.

Several agencies conducted barrier assessments of their office buildings and surrounding area. The Department of State Lands surveyed the accessibility of entrances, restrooms and offices in their building located on 11th Avenue in Helena.

Ms. Harris and several staff people conducted an accessibility survey for the Department of Highways. Results of that survey indicate that the department's office building in Helena is highly accessible and would be even more barrier-free with the addition of signs and railings.

The Department of Administration asked an employee with a temporary disability to evaluate accessibility to the Mitchell Building from the perspective of a recently disabled person.

The Department of Administration also presented two Windmills workshops. Windmills is an awareness program dealing with several aspects of employment from the perspective of people with disabilities.

The Montana State Library acknowledged the week by presenting films about visual disabilities.

Based on earlier assessments, the Department of Institutions renovated one of its office buildings by adding an elevator and an accessible outside door. The second floor restrooms were made accessible to wheelchairs.

The Department of Revenue displayed over 20 different posters relating to the employment of people with disabilities. The department plans to include a monthly article in its newsletter featuring an employee or an issue affecting employees with disabilities.

The Board of Public Education installed a TDD

(telecommunication device for the deaf) in its office during Barrier Awareness week.

Marc Racicot, Attorney General, actively participated in Barrier Awareness Week. He used a wheelchair as he completed his daily activities.

The Department of Health and Environmental Sciences recently requested the installation of a handrail on the ramp at the back entrance to the Cogswell Building. Some modifications to a third floor restroom were requested also.

The Department of Social and Rehabilitation Services has asked each division to identify, in writing, a barrier (attitudinal or tangible) and form a plan of correction.

Ms. Harris pointed out that all of these activities increase awareness and help remove barriers to employment for people with disabilities.

For more information, call Linda Currie, 444-3886.

Governor's Committee On Employment Of People With Disabilities

GCEPD Spring Meeting Is Held

The Governor's Committee on Employment of People with Disabilities (GCEPD) met on April 27th.

George Kerscher, director of Computerized Books for the Blind and Print For The Handicapped, opened the meeting with an informational presentation about his work. Because 80% of the legally blind are able to see a computer screen, Mr. Kerscher's software and use of a computer and voice synthesizer allow the blind to use technical and research books for the first time. The documents are formatted in ASCII (American Standard Code for Information Interchange) and easily "read" by a conventional microcomputer at a much lower cost than readings for the blind. Presently two publishing companies have agreed to reformat their computer files in this manner. IBM Corporation, through its Microsoft Corporation, is also making their documentation available.

Mr. Kerscher's project needs funding and exposure. For more information, contact him at 33 Corbin Hall, University of Montana, Missoula, MT 59812, or call him at 406-243-5481.

Other items on the agenda included a new draft of the awards brochure; President's Committee awards; distribution of the 1988 Disability Forum Report; Task Force and Subcommittee reports and a legislative update.

New business centered on the standards for accessibility Barrier Awareness Week activities and a disability employment project which was tabled for future discussion. The final portion of the meeting focused on plans for the 1989 Disability Employment Conference to be held on October 24, 1989. This year's conference will be held at the Colonial Inn in Helena.

For more information about this meeting or agenda items, or for general information on GCEPD, call Linda Currie, 444-3886.

EEO Recruitment and Selection Training Is Offered

During the spring and summer, Linda Davis, EEO Coordinator and Linda Currie, EEO/Disability Specialist, in cooperation with local Job Service offices, will be offering workshops about EEO Recruitment and Selection at 16 sites throughout the state.

These one day training sessions include the areas of EEO and the law, developing a selection plan job analysis, the selection process and a special two-hour section of updated guidance on prevention of sexual harassment. The sessions are designed for public and private employers, supervisors, managers, personnel officers and other persons who are in a position to hire or refer applicants.

The EEO staff will also conduct outreach training at every Job Service office in the state. This training will center on the total EEO/AA program with particular emphasis on recruiting methods.

The Professional Development Center is offering state agencies a special reduced fee for these sessions. A fee of $1,300 will allow up to 10 employees to participate in any 13 of the 16 workshops.

For additional information about this training, the outreach

sessions or the special rate, contact Linda Davis, 444-3796 or Linda Currie, 444-3886.

Governor's Cup Race Is Set to Go!

Mark June 3 on your calendar! That's the date of the annual Governor's Cup Races in Helena. The State Wellness Program is sponsoring a **State Government Competition** among state agencies. Join your agency team to participate in one of the events: 5K, 10K, 20K, marathon, marathon relay, or race-walking. Your team might win an award in one of the following categories:

- **agency team** - agency competition for highest average percentile placement.
- **agency participation** - agency competition for best participation rate.
- **individual event** - individual competition for highest percentile placement.

How do you register?

1. Register for the race by completing the Blue Cross/Blue Shield entry form, available from the Helena company office.

2. Sign up for the State Agency Competition by getting in touch with your agency contact person by May 25.

For more information about this event, call Vi Pigman, State Personnel Division, 444-3809.

Policy Inquiry

Question:

Training for employees of a state agency is held in another state on a regular basis. Very often, training begins on a Monday. This requires employees to travel on a Sunday. Hours of travel vary depending on the flight schedule. These employees usually work 8 to 5, Monday through Friday. For employees covered by the FLSA, is travel outside their regular worktime considered working hours for purposes of overtime?

Answer, page 6.

"The most valuable of all talents is that of never using two words when one will do."

Thomas Jefferson

Put Those Forms on Trial

Put every standardized report, form letter and other printed document on trial for its life periodically. No form should be used for more than two years without being evaluated. A good time to do this: when the supply is running low and you'll have to reorder the forms.

Some questions to ask:

Is the form still needed? This doesn't apply to just forms. *Example:* Weeks after the government prohibited smoking on all flights of two hours or less, flight attendants on those flights continued to announce the safety rule that cautioned the passengers to put out all smoking materials when oxygen was in use.

Can this form be combined with another form? Consider the convenience of separate forms versus their cost. Ask the people using the forms if indeed all of them are necessary.

Can the form be improved? Again, talk to the people who use the form to see what changes can be made.

Source: Dr. Arthur R. Pell, consultant, Dale Carnegie & Associates Inc., in Communication Briefings, Vol. 8, No. 2.

Watch For It!

"Humor" -- it "stimulates creativity" (The Wall Street Journal) and can "reduce tensions and motivate workers" (The New York Times). It is often used to painlessly illustrate an important message.

Hopefully these points will prove true when the Montana Personnel Perspectives joins over 650 employee and personnel periodicals who publish Grantland, a cartoon strip created by W. Grant Browning. The cartoon deals with personnel and management issues that face employers and employees on a daily basis.

It's coming soon. **WATCH FOR IT!**

Policy Inquiry

Interpretation:

Time spent training is worktime if it is required by the employer. Section 785.27 of the FLSA states:

"Attendance at lectures, meetings, training programs and similar activities need not be counted as working time if the following four criteria are met:

(a) Attendance is outside of the employee's regular working hours;

(b) Attendance is in fact voluntary;

(c) The course, lecture, or meeting is not directly related to the employee's job; and

(d) The employee does not perform any productive work during such attendance."

Section 785.28 Involuntary Attendance, states:

"Attendance is not voluntary, of course, if it is required by the employer. It is not voluntary in fact if the employee is given to understand or led to believe that his present working conditions or the continuance of his employment would be adversely affected by nonattendance."

The regulations state that travel that keeps an employee away from home overnight is work time when it cuts across the employee's normal working hours. Section 785.39 continues:

"The time is not only hours worked on regular working days during normal working hours but also during the corresponding hours on nonworking days."

For the employees in question, the hours spent traveling on a Sunday, that cut across the normal working hours of the day (probably 8 to 5), would be working hours. Hours before or after 5 would not be, pursuant to Section 785.39, which says:

"As an enforcement policy the Division will not consider as worktime that time spent in travel away from home outside the regular working hours as a passenger on an airplane, train, boat, bus, or automobile."

P/P/P Training Attracts Thirty Participants

On April 25th, the EEO section of State Personnel conducted a training session for EEO officers and those who input EEO information into the P/P/P (Payroll, Personnel, Position Control) system. An online demonstration introduced the session and addressed questions about EEO changes, workforce analysis and applicant flow analyses. In addition, an explanation of the state's EEO/AA program was provided.

Bonnie Ellis and Dave Swenson from the state Auditor's office answered questions and provided guidance on the statistical input and analyses.

For more information on this session or the P/P/P system as it is used for EEO information, call Linda Davis, 444-3796 or Linda Currie, 444-3886.

ACKNOWLEDGMENTS

The State Personnel Division thanks the following people who provided articles and assistance for this issue of Montana Personnel Perspectives:

John Camper
Linda Currie
Gale Kuglin
Mark Cress
Jeanette Handelin
Linda Kaiser

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 44-3983.

PDC MAY CLASSES

Communicating Within Diversity
The workplace includes people with varied cultural and ethnic back grounds. As managers, we must recognize related concerns and maintain harmony within the workplace. This half-day seminar addresses those issues. The instructor is B.J. Combest. This class will be held in the Montana Training Center, Lee Metcalf Building, June 1, from 8:30 a.m. to noon. Cost is $40.00.

Technical Writing
This day-long seminar will help people write technical reports that everyone can understand. The instructor will be Thomas Livers, Assistant Bureau Chief, Conservation and Renewable Energy Bureau, DNRC. The seminar will be held June 13, from 8:30 a.m. - 4:30 p.m., in the Montana Training Center, Lee Metcalf Building. Cost is $55.00.

You, Inc: Transforming Your Work Into a Growth Experience.
Mary Ellen Campbell from the University of Montana will again present this popular seminar aimed at those who face job "burn-out." Positive steps for improving attitude and job performance are included. It will be held in the Montana Training Center, Lee Metcalf Building on June 21, from 8:30 a.m. - 4:30 p.m. Cost is $65.00.

GREAT FALLS AND BOZEMAN...
Documenting Disciplinary Actions and Who Should I Hire?
These two half-day seminars will be offered in the Sheraton Inn, Great Falls, on June 1, from 8:30 a.m. to noon (Who Should I Hire?), and from 1 p.m. to 4:30 p.m. (Documenting Disciplinary Actions). They will be held in the GranTree Inn, Bozeman, on June 20, from 8:30 a.m. to noon (Who Should I Hire?) and from 1 p.m. to 4:30 p.m. (Documenting Disciplinary Actions). Cost for each seminar is $40.00, or $80 for the day. Both seminars are open to the general public on a "space available" basis.

EEO, Recruitment and Selection
Linda Davis, State EEO Coordinator, in coordination with local Job Service Offices throughout the state, will be presenting this informative seminar in six locations during June and again during July and August. This seminar, which begins at 8:30 a.m. and ends at 4:30 p.m., provides step-by-step procedures for recruitment and selection and identifies the important elements of Equal Employment Opportunity requirements. Cost of the seminar is $55.00. The schedule is shown below. Local Job Service Offices are making all arrangements and interested persons should call their local office for information about location, time and date of the seminar.

Butte	**June 7**
Dillon	**June 8**
Glendive	**June 20**
Miles City	**June 22**
Missoula	**June 27**
Thompson Falls	**June 29**

Anyone desiring additional information about these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may also register by calling 444-3985.

PROFESSIONAL DEVELOPMENT CENTER CLASSES

			June 1 Communicating within Diversity Doc Disp Act & Who Should I Hire **G. F.**	2
5	Working with Difficult People 6 **EOM - Protecting**	EEO, Rcmnt, Selct 7 **Butte** **EOM - Synthesis**	EEO, Rcmnt, Selct 8 **Dillon**	9
12	13 Technical Writing	14 New Employee Orient	15	16
19	Doc Discip Acts & Who Hire? 20 **Bozeman** EEO, R&S **Glendive**	21 You, Inc: Transforming	EEO, Rcmnt, Selct 22 **Miles City** Fire Me and I'll Sue	
26	EEO, Rcmnt, Selct 27 **Missoula**	28	EEO, Rcmnt, Selct 29 **Thompson Falls**	30

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Volume IX, Number 2 June, 1989

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Pre-Employment Inquiries: Lawful or Unlawful?

Employers are interested in obtaining a variety of information when interviewing applicants. But before asking a question, the employer needs to know how the information will be used. Will the employer be able to show the information was job related, asked consistently of all applicants and was not used to discriminate or will the applicant be able to claim that information was used to unlawfully discriminate?

Employers should simply steer clear of some areas of inquiry. Sometimes the way the question is asked may be a problem and alternative questions may produce the information needed without creating the unlawful discrimination issue. Applicants also can be informed by the employer that certain information will be required at the time of hire.

Remember, these are pre-employment inquiries. Once an applicant is hired some personal information does become relevent and the employer may obtain it then.

Subject	Lawful	Unlawful
Age	Are you 18 years of age or older? If not, state your age. (Montana law protects all ages so this may be unlawful depending on why you're asking it. It is better not to ask about age unless it is necessary for the job.)	How old are you? What is your date of birth? What are the ages of your children, if any?
Arrest Record	Have you ever been convicted of a crime? Give details. (Ask only of successful applicant or place a statement on vacancy announcement saying successful candidate must pass security check.)	Have you ever been arrested?
Birth Control	None	Inquiry as to capacity to reproduce, advocacy of any form of birth control or family planning.
Disability	May describe job duties and ask if applicant needs any accommodation to perform.	Do you have a disability? Have you ever been treated for any of the following diseases...? Do you have now, or have you had, a drug or alcohol problem.
Marital Status	None	Do you wish to be addressed as Miss? Mrs.? Ms.? Are you married? Single? Divorced? Separated? Name or other information about spouse.
National Origin	None	Inquiry into applicant's lineage, ancestry, national origin, descent, parentage or nationality. Nationality of applicant's parents or spouse.
Race or Color	None	Complexion or coloring.
Religion or Creed	None	Inquiry into applicant's religious denomination, religious affiliations, parish or church, religious holidays observed. Applicant may not be told "This is a (Catholic, Protestant or Jewish) organization.
Sex	None	Inquiry as to gender.

It is unlawful to ask questions which will indirectly reveal information as to race, creed, color, national origin, sex, marital status, disability, or age. The following are examples of inquiries which may indirectly reveal these characteristics:

Subject	Lawful	Unlawful
Birthdate	Are you 18 years of age or older? If not, state your age. (Montana law protects all ages so this may be unlawful depending on why you're asking it. It is better not to ask about age unless it is necessary for the job.)	Requirements that applicant submit birth certificate, naturalization or baptismal record before hire. Requirement that applicant produce proof of age in form of birth certificate or baptismal record.
Birthplace	None	Birthplace of applicant. Birthplace of applicant's parents, spouse or other close relatives.
Citizenship	(I-9 information will be requested at time of hire.)	Requiring citizenship. Immigration law only reqquires proof of legal status to work at the time of hire.
Education	Inquiry into applicant's academic, vocational or professional education and the public and private schools attended.	
Experience	Inquiry into work experience.	
Language	Inquiry into languages applicant speaks or writes fluently.	What is your native language? Inquiry into how applicant acquired ability to read, write or speak a foreign language.
Name	Have you ever worked for this company under a different name?	Original names of an applicant whose name has been changed by court order or otherwise.
Notice in Case of Emergency	None, until after hire.	Name and address of person to be notified in case of an accident or emergency.
Organizations	Inquiry into applicant's membership in organizations which the applicant considers relevant to his or her ability to perform the job.	List all clubs, societies and lodges to which you belong.
Photograph	None	Requirement or option that applicant affix a photograph to employment form at any time before hiring.
		Number, names, addresses and ages of applicant's spouse, children

(continued)

Subject	Lawful	Unlawful
		or relatives not employed by the company.
Relatives	If there is a nepotism policy, name of applicant's relatives already emplo-yed by the company.	

For additional information about the employee selection process, call Linda Davis, 444-3986 or Linda Currie, 444-3886 from the state EEO/AA office.

Benefit Changes Are Proposed

The following benefit changes for the next year were recommended by the State Group Benefits Avisory Council Employees etc on May 29.

1. An increase of $15.00 in all medical premiums. This increase will be covered by the increase in the State contribution, leaving no increase in out-of-pocket costs for employees.

2. Addition of case management. Case management is management of catastrophic illnesses and accidents by professional medical and support personnel to help physicians, patients, and their families identify the most appropriate, effective, and cost-efficient treatment. It is voluntary, free to the plan member, and expected to return between $3.00 and $10.00 in savings for every dollar spent.

3. A change in administration of the supplemental accident benefit. Currently, supplemental accident benefits are credited toward the annual deductible and co-payment requirements. If a plan member has an accident early in the benefit year and the supplemental accident benefit pays the deductible and co-insurance, the member's deductible requirement is satisfied for the rest of the year and the potential co-insurance obligation reduced. This is an extremely unusual plan provision and was not originally intended to apply toward deductible and co-insurance.

Under the council's recommendation, the supplemental accident benefit will continue to pay the deductible and co-insurance for an accident but provide no credit toward annual deductible. Plan members with an accident early in the year will have the same deductible and co-insurance obligation for illnesses later in the year as a plan member without an accident. This is consistent with how all other plans administer this benefit.

4. A change of benefit allowances back to the 90th percentile of prevailing charges. In 1985, the maximum payment allowed was changed from the 90th percentile of physician's charges for the same service in the previous year (which is the standard for insurance plans) to 120% of the 90th percentile. This was done during a time of large plan reserves and rapid cost inflation for certain procedures (obstetrics) in order to protect plan members from out-of-pocket costs (costs for charges in excess of allowances). Due to continuing deficits and a decrease in plan reserves, the majority of the council believes that it is no longer feasible to have a more generous plan allowance than other plans.

The council is exploring two options to limit resulting out-of-pocket costs. These are (1) more frequent updates of the allowance to assure that the allowance does not lag behind increases in charges, and (2) extending to the state plan Blue Cross/Blue Shield's agreement

with some doctors to accept the allowance as payment in full.

5. A change in the outpatient rehabilitation benefits. Outpatient rehabilitation benefits have been limited to $20.00 per day for a number of years. This allowance is no longer sufficient, and causes increased use of more costly inpatient benefits. Some rehabilitation services such as speech therapy have separate provisions with no limitations.

The council approved a staff recommendation to combine all outpatient rehabilitation services including physical therapy, occupational therapy and speech therapy into one provision with a $2,000 per benefit year combined limit. Services must be prescribed by a physician as currently required for physical therapy.

6. An extension of dental benefits to retirees beyond age 65. Some retirees have requested the option of continuing dental coverage beyond age 65 in the same way they may continue health coverage. This extension was unanimously recommended by the council because it is a cost neutral extension, and because eliminating coverage at age 65 may not be in compliance with state anti-age discrimination laws.

A new administrative option for employees with medicare eligible dependents will also be implemented this next year. An agreement will be available allowing these dependents to be removed from the state plan in favor of Medicare-only coverage with the understanding that they will be accepted back on the plan without evidence of insurability if they lose Medicare coverage. This provision saves money for both the retiree and the plan.

If you have questions about benefits or the State Employee Advisory Council, call Joyce Brown, Labor Relations and Employee Benefits Bureau, at 444-2553.

PPP Audit Is Scheduled

Mike Wingard, senior performance auditor, with the Office of the Legislative Auditor has begun planning for a performance audit of the State's Personnel, Payroll and Position (PPP) system. Fieldwork is scheduled to begin in the next month.

The audit was requested by legislators who are seeking information about PPP and how it is related to the Statewide Budgeting and Accounting System (SBAS). Information will be gathered by reviewing records and interviewing employees who work directly with the PPP system.

Wingard said that audit results will be presented in a formal report to the Legislative Audit Committee.

For additional information, call Wingard at 444-3122.

Avoid the word "but" when you need to criticize. "But" is a transition word that signals, "Stop. Turn in another direction." Most listeners won't remember what you said before the "but" -only what you said after it. *Example:* "You made a fine presentation today, 'but' ..." *Suggestion:* You made a fine presentation today. 'And" you would do even better if...."

Legislature Authorizes Pay Study

A seven member committee will examine and analyze policies that govern state pay in Montana, study pay policies of comparable governments and private sector businesses and organizations, identify problems with the state pay system and develop recommendations to promote quality services within state government. The committee, established by HB 786, will include two representatives from employee organizations, one senator, and one house representative.

The Department of Administration and the Legislative Council will staff the pay study, will report to the 1991 Legislature.

For more information about the Pay Study, call State Personnel Division at 444-3871.

Labor Relations Issue

Question:

An employee is covered by a collective bargaining agreement, but is not a member of the union. Each month she is required by the

labor contract, as a condition of employment, to pay a representation fee to the union. The union is required by the agreement to represent her fairly even though she is a nonmember. She wonders, "How can I be sure that the union is using my money for legal purposes?"

HEALTHBEAT

Cholesterol And Cooking Oils

National awareness about cholesterol has stirred food brokers into an advertising frenzy. They dangle their food products in front of us like so many fish, luring us to "bite" with labels that proclaim "no cholesterol." This advertising frenzy reaches a new zenith in the multi-million dollar business of cooking oils.

The hoopla leaves us standing in front of our grocer's display of Puritan and Wesson oils. We try to look studious, while trying to remember which product is the "best" for our arteries. The following explanations and tables should help in becoming "wise cooking-oil buyers."

Saturated fats raise blood cholesterol even higher than eating high cholesterol foods like eggs. The more saturated a fat, the harder it is at room temperature. Generally speaking, animal fats are more saturated than vegetable fats. Butter, for example, has more saturated fat than safflower oil. The exception to this rule is the tropical oils - coconut, palm and palm kernel oils. These are among the most saturated of all fats, *to be avoided* if you have a cholesterol problem.

Polyunsaturated fats are found most abundantly in vegetable oils like safflower and corn oil. It seems prudent to eat more polyunsaturated than saturated fats in terms of effects on blood cholesterol.

Monounsaturated fats also tend to reduce blood cholesterol. Olive oil is especially recognized because it appears not only to lower total cholesterol, but seems to raise HSL cholesterol (the good stuff).

All fats contain about the same amount of calories, 115-120 per tablespoon. Only the animal fats, lard, beef fat and butter have cholesterol. Try not to get carried away in the wrong direction in picking and eating oils and fats. Good heart health does not come from sprinkling a little olive oil on your banana cream pie. Eat less fat of all kinds, particularly saturated fats which raise cholesterol. *The payoff is that for every one percent blood cholesterol is lowered, there is a two percent decrease in risk for coronary heart disase. That's what this is all about.*

For more information about the state's wellness programs, call Linda Kaiser at 444-3946.

Staff Changes

The State Personnel Policy and Practices Section, Personnel Division, welcomes Linda Dixon as a Policy Coordinator. Ms. Dixon has been employed in the State Personnel Division as a Classification Analyst for the last 3 years. Her phone number is 444-3871.

Lynn Mockel recently joined the staff of the Classification Bureau as an Office Clerk II. Her phone number is 444-3764.

Labor Relations Issue

Answer:

In 1977 the U.S. Supreme Court ruled in Abood v. Detroit Board of Education that the agency arrangement described in the question did not violate the U.S. Constitution, as long as the union did not "collect from dissenting employees any sums for the support of ideological causes not germane to its duties as collective bargaining agent."

Seven years later, in Ellis v. Railway Clerks, the Court defined the line between "union expenditures that all employees must help defray and those that are not sufficiently related to collective bargaining to justify their being imposed on dissenters." In Ellis,

the Court identified six categories of allowable expenditures and two categories of non-allowable expenditures.

Finally, in 1986, the U.S. Supreme Court decided Chicago Classroom Teachers Union No. 1 v. Hudson, in which it ruled on the constitutionality of procedures to: 1) draw the line between chargeable and non-chargeable expenditures, and 2) respond to nonmembers' objections as to how that line is drawn.

The Court ruled that a labor union which charges nonmember employees an agency fee to defray the cost of representing them, is required to give those employees "an adequate explanation of the basis for the fee, a reasonable prompt opportunity to challenge the amount of the fee before an impartial decisionmaker, and an escrow for the amounts reasonably in dispute while challenges are pending."

In order for this employee to be sure that her money is being used for lawful purposes, she must voice an objection. She should continue to pay the representation fee as required by the contract, since, 1) the contract requires payment as a condition of employment, and 2) the union is obligated to place the disputed amount in escrow while the challenge is pending. Once she objects, it is up to the union to establish and carry out the procedures mandated by the Supreme Court in Hudson, which protect her from being forced to financially support union expenditures in violation of her rights.

For more information about Labor Relations issues, call the Labor Relations and Employee Benefit Bureau at 444-3871.

HOLIDAYS IN JULY

Montanans recognize two legal holidays in July, 1989. Monday, July 3 is Heritage Day, followed by Independence Day on July 4.

If you have questions about these or other holiday policies, call Liz Hayden at 444-3871.

PDC JULY CLASSES

On July 6, John Moore, will conduct the seminar **Documenting Disciplinary Actions** in the Lee Metcalf building. This workshop provides guidelines for treating employees fairly and providing the necessary documentation. The seminar will be conducted from 8:30 a.m. to noon. The cost is $45.

Writing Position Descriptions will be presented by the Classification Bureau, Montana State Personnel Division. Writing position descriptions is one of the most important jobs a manager can perform. There are certain principles that must be followed. This seminar will address those principles. It will be conducted in the Lee Metcalf Building, July 19, from 8:30 a.m. to noon. Cost is $45.00.

AIDS and The Manager. This seminar will give you all the information you'll need to deal with employees and AIDS related issues and concerns. Cost is $60. This seminar will be conducted from 8:30 a.m.- 4:30 p.m., July 20, in the Lee Metcalf Building.

PRE-RETIREMENT SEMINAR IN BILLINGS

If you are within five years of retirement and live in or around the Billings area, you'll want to be sure to attend this two-day Pre-Retirement Seminar. It will be held in the Rodeway Inn, July 25 and 26. This seminar will look at retirement from a mental, physical, and financial planning standpoint. Cost of the seminar, jointly sponsored by the PDC and the Public Employees Retirement System, is $50.00. Spouses are urged to attend, free of charge.

ALSO IN BILLINGS...

Take Your Word For It and Communicating within Diver-sity

These two seminars will be presented in the Rodeway Inn, July 27. Take Your Word for It will be presented from 8:30 a.m. to noon, and Communicating Within Diversity will be begin at 1 p.m. These two seminars look at the changing work-place, illustrating how we must learn to communicate in diverse circumstances. We must learn how to work with people of all cultural and ethnic backgrounds. These seminars will

be conducted by B.J. Combest of the PDC staff. Cost of each seminar is $40.00, or a $80 for the full day.

Privacy and the Right to Know

This thought-provoking seminar led by John Moore looks at the dilemma facing managers at all levels in public service. The seminar answers the question, "How do you provide open communications to the public while protecting the confidentiality of the individual?" This seminar will be conducted July 27, in the Lee Metcalf Building from 8:30 a.m. - 4:30 p.m. Cost is $60.

EEO, Recruitment and Selection

Linda Davis, State EEO Coordinator, in coordination with local Job Service Offices throughout the state, will be presenting this informative seminar in four locations during July and August. This seminar, which begins at 8:30 a.m. and ends at 4:30 p.m., provides step-by-step procedures for recruitment and selection and identifies the important elements of Equal Employment Opportunity requirements. Cost of the seminar is $55.00 Local Job Service Offices are making all arrangements and interested persons are asked to call their local office for more information. The following is a schedule for this seminar:

Billings	**July 11**
Bozeman	**July 18**
Livingston	**July 20**
Lewistown	**July 25**

Anyone desiring further information on these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may also register by calling

PROFESSIONAL DEVELOPMENT CENTER CALENDAR

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
July 3 Heritage Day	4 Independence Day	5	6 Documenting Disciplinary Actions	7
10	11 EEO, Rcmnt, Selct **Billings**	12	13 Telephone Courtesy	14
17	18 EEO, Rcmnt, Selct **Bozeman** Interviewing Skills	19 Writing Position Descriptions	20 EEO, Rcmnt, Selct **Livingston** AIDS & the Manager	21
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State Employees' Charity Fund Drive Set

Beginning in September, 1989, Montana state government will sponsor an annual combined charitable giving campaign. The United Way Federations, Combined Health Appeal of Montana (CHAM), and Montana Community Shares (MSC) have met the established eligibility criteria and will participate in the state employees' campaign.

Previously the state of Montana has allowed one charity, the United Way, to conduct a fund raising campaign among state employees during working hours. In 1984, a federal district court in New Jersey found that a public employer that allows charitable fund raising among employees may not arbitrarily restrict this activity to one charity or federation of charities. If charitable fund raising is to be performed at the public employer's worksite, the employer must establish reasonable eligibility criteria, and must provide access to charities that meet those criteria.

The new State Employees' Charitable Campaign (SECC) will encourage charitable donations through automatic payroll

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deductions without promoting a specific charitable organization or federation. Many of the activities carried out in previous campaigns will continue but there will also be some changes. A new pledge card is being designed, and the campaign will be statewide. Any employee paid through the Personnel/Payroll/Position Control (P/P/P) system will be able to contribute to the participating charitable organization(s) of his or her choice through automatic payroll deduction. A single employee solicitation per year will reduce the potential for repetitious soliciting of state employees throughout the year by charitable organizations and minimize disruptions in the workplace.

The Department of Administration will coordinate the campaign in cooperation with the State Auditor's Office.

For more information about SECC, call Linda Dixon, State Personnel Division, 444-3794.

Legislative Update

The Governor signed Senate Bill 17 on July 1. The legislation, which became effective on that date, allows third-class cities or towns to establish office hours. The act amends section 7-4-102, MCA, which required state and local government offices to be open continuously from 8:00 a.m. until 5:00 p.m. daily except Saturdays and legal holidays.

For more information about state policies regarding office hours, call the Employee Relations Bureau, 444-3871.

New Classification Rules Implemented

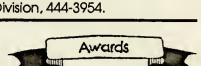
Amendments to the Classification Plan Rules (MOM Volume III, Policy 3-0401) were implemented July 1. The changes include the following: Rule 1720 (1) (a) requests agencies to specify one of four choices as "Justification for Action" on a Position Detail Form; Rule 1720 (1) (b) asks that agencies use an established questionnaire to submit classification requests; Rule 1722 (7)(a) allows the Department of Administration and affected agencies to agree on a date to implement pay changes that result from classification reviews. These rule changes will help the Classification Bureau staff process requests more quickly. For additional information about the classification rule changes, call John McEwen at 444-3894.

Class Specifications and Inventory Revised

The Classification Bureau has undertaken a major revision of the Classification Inventory, the list of established classes to which positions may be allocated. Revisions include: changes in titles for several classes; changes in class codes for some classes; and deleting several classes that were no longer in use. In addition, new classes have been added, and some new class specifications have been prepared for publication and distribution. Agency personnel officers will receive the new inventories and class specifications with an instructional letter in late July.

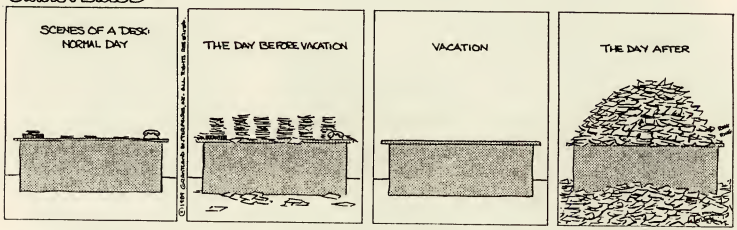
Initially the changes to the inventory will require some extra effort from agency personnel officers as Position Detail Forms are requested and processed to transfer positions from obsolete classes into new ones, and as the Class Specification Manuals are purged and brought up-to-date. This effort will result in titles that are more descriptive and in class specifications that are groupted to describe similar kinds of work. These changes should make it easier to identify the best classes for positions.

If you have any questions about the Classification Inventory or publication of class specifications, call Lana Loughrie, State Personnel Division, 444-3954.



Incentive Awards Program Launches New Marketing Campaign

The State of Montana's Incentive Awards Program has launched a new marketing



campaign designed to inform current and new state employees about the program. The Incentive Awards program provides the opportunity for employees 1) to receive individual recognition for submitting ideas which may reduce the cost or improve the quality of government services to Montanans and 2) to earn awards up to $3,000 per suggestion.

Application and evaluation forms are being revised. New posters were distributed to agency coordinators July 10th and employees will receive new program brochures with the July 26th payroll. The program has also implemented a new "Certificate of Appreciation." The certificate will be presented to all first-time program applicants and will be personally signed by the Governor.

For more information concerning the Incentive Awards Program, pick up a program brochure from your agency coodinator or call Randy Pugh at 444-3871.

Deferred Compensation Plan Retains Consultant

The State Employee Group Benefits Advisory Council has retained the services of Thomas Cavanaugh of Gabriel, Roeder, Smith and Company, a private, independent benefits plan consultantion firm. Cavanaugh is a nationally recognized deferred compensation expert and was awarded a one year contract by the council effective June 1, 1989.

Mr. Cavanaugh was retained by the council to provide an in-depth analysis of the current structure and design of the state's deferred compensation program, review the current product provider and third party administration contracts, and provide recommendations for future program changes.

The next council meeting is scheduled for July 25, at 9:00 a.m. in Room 136, of the Mitchell Building.

For more information, call Randy Pugh at 444-3871.

Pay Plan and Classification Rule Revisions Completed

Revisions of the Pay Plan and Classification Rules for the 1990-91 biennium have been completed. Copies of the pay plan rules, classification rules and 1990-91 Pay Matrices were distributed July 7th to all holders of MOM Volume III.

For additional information about these rules, contact Randy Pugh at 444-3871.

Decertification Petitions Filed

State employees in a collective bargaining unit who wish to change or drop their current bargaining agent, must file a decertification petition during a 30-day window period every two years or upon expiration of their collective bargaining agreement. During the most recent window period,

twelve of the state's seventy-six collective bargaining units filed for such a change. The current status of the decertification efforts is:

Public Employees Retirement Division -- Employees voted to retain the Montana Public Employees Association (MPEA) as their representative.

Montana State Prison -- Employees voted to change representatives from MPEA to the Montana Federation of State Employees (MFSE).

Department of Highways - Employees retained representation with MPEA.

Montana State Prison, Correction Counselors -- Employees voted to change from the MFSE to no representation.

Veteran's Home -- Employees voted to change representatives from the MPEA to the MFSE.

Veteran's Home, Nurses -- Employees voted to change from the MPEA to the MFSE.

Department of Health -- Employees retained the MPEA.

Women's Prison -- Employees voted to change from the MPEA to the MFSE.

Montana Developmental Center Electricians -- The petition was dismissed by the Board of Personnel Appeals as a partial decertification.

Department of Agriculture -- Employees retained the MPEA.

Montana Developmental Center -- An election will be held so that employees can choose between the American Federation of State, County and Municipal Employees (AFSCME), an independent union and no representation.

Montana State Hospital, Galen Campus -- An election will be held so that employees can choose between the AFSCME, an independent union and no representation.

For more information about decertification efforts, call the Labor Relations and Employee Benefits Bureau, 444-3871.

Holiday Pay Opinion Issued

A recent Attorney General's Opinion (Volume No. 43, Opinion No. 14) determines that some local government employees who regularly work four 10-hour days each week are entitled to eight hours' pay for all non-worked holidays pursuant to section 2-18-603, Montana Code Annotated (MCA).

The opinion paper sites constitutional and statutory provisions that define a regular day of work for full-time local government employees as eight hours. The paper notes that there is nothing in MCA's leave provisions suggesting that alternate schedules should alter leave entitlements. The opinion further discusses state personnel policies regarding holiday benefits. "Holiday benefits" is defined as "pay at the regular rate up to eight hours or equivalent paid time off up to eight hours paid to an eligible employee when the state observes a legal state holiday" (2.21.619(4), ARM).

For more information about holiday policies for state employees, call Liz Hayden at 444-3789 or Linda Dixon at 444-3794.

COMPETITION

GOVERNOR'S CUP 1989

Governor's Cup Results

Over 200 state employees ran, walked, jogged and sweated in the annual Governor's Cup Race in Helena on June 3. Twenty one agencies participated in the state Government Competition. Agency participation increased significantly from last year. The winners were:

Agency Team Event:

1st Place: Department of Fish, Wildlife and Parks.

2nd Place: Department of Commerce.

Participation Event:

1st Place: Legislative Fiscal Analyst's Office

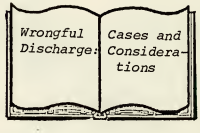
Individual Runner Event:

1st Place: Clay Smith from the Department of Justice.

Individual Race Walker:

The winner is Barb Kain from the Department of Administration.

This is a great time to begin to get in shape for next year's competition!



Summary of Wrongful Discharge Cases Available

The Professional Development Center has published a new edition of *Wrongful and Unlawful Discharge: Montana Cases and Considerations.* This 37-page booklet contains brief summaries of 57 decisions of the Montana Supreme Court involving lawsuits over discharge. Three cases from Federal District Court in Montana are described as well.

Compiled by John Moore of the PDC, *Cases and Considerations* traces the development of case law in Montana from 1923 to the present. All the landmark decisions are described, including the recent case in which the Supreme Court upheld the Wrongful Discharge from Employment Act of 1987. The full text of the Act is also included.

Copies of the booklet are available from the State Personnel Division at $2.50 each. To obtain a copy, write to Jeanette Handelin, State Personnel Division, Department of Administration, Mitchell Building, Capitol Complex, Helena, MT 59620 or call her at 444-3985.

PDC AUGUST CLASSES

Team Building
Pam Crawford, adjunct professor at Montana State University, will be presenting a one-day seminar on team building, in the Lee Metcalf Building on August 3 from 8:30 a.m. to 4:30 p.m. This seminar is intended for managers and supervisors involved in teams of employees; teams of equal partnerships; or in teams with their own managers and supervisors. Cost is $65.00.

New Employee Orientation
The next orientation for new employees will be held in the Lee Metcalf Building on August 16 from 10:00 a.m. to noon. It will again be a "County Fair" arrangement. New employees may discuss concerns or questions with the 'experts' in each field. Cost is $15.

Maintaining a Drug-Free Workplace
Passage of the Drug-Free Workplace Act of 1988 has refocused attention on this critical problem. Using case studies, group discussions, lecture and activities, this day-long seminar will answer questions and heighten awareness about maintaining a drug-free workplace. The seminar will be held in the Lee Metcalf Building beginning at 8:30 a.m., August 18. Cost $65.00.

Cancellation

Meetingful Minutes the class scheduled for August 21 and 22 has been postponed until September 19 and 20. More information about the class will be provided in August.

"On the road again..."

In August, John Moore and B.J. Combest of the PDC will be presenting seminars outside of Helena in **Lewistown, Missoula, Butte and Kalispell.**

Who Should I Hire? and **Documenting Disciplinary Actions** will be presented by John Moore on August 2 in Lewistown. **Who Should I Hire?** will be offered from 8:30 a.m. till noon. Participants will learn which facts are important and which are not when interviewing an applicant for a job. Cost is $45.00. **Documenting Disciplinary Actions** provides guidelines for treating an employee fairly, and providing the necessary documentation. The seminar will be held from 1:00 p.m. to 4:30 p.m., and the cost is $45. The seminars will be in the Central Montana Hospital training rooms at 408 Wendell Avenue, Lewistown. Both seminars may be attended on the same day for $80.00.

Take Your Word For It, and Communicating within Diversity will be conducted in the Village Red Lion, 100 Madison, **Missoula**, August 10. Take Your Word for it will be presented from 8:30 a.m. to noon, and Communicating Within Diversity will be presented at 1 p.m. These seminars illustrate that we must learn to communicate in diverse circumstances, with people of various cultural and ethnic backgrounds. These seminars are led by B.J. Combest of the PDC staff. Cost of each seminar is $45.00, or a total of $80 for the full day.

The same series will be presented in the War Bonnet Inn, 2100 Cornell, in **Butte** on August 22.

On August 31, B.J. Combest will present two workshops, in **Kalispell**, at the Outlaw Inn. Working With Difficult People will be conducted from 8:30 a.m. to noon. Participants will learn how to cope with various types of "difficult people" and maintain a comparatively good rapport. Everyday Negotiating Skills will be offered from 1:00 to 4:30 p.m. This seminar will benefit anyone who would like to become a more skillful negotiator in ordinary workplace situations and learn skills that can be applied to any situation where problems need solving. Cost of these half-day seminars is $45 each or $80 for the full day.

EEO, Recruitment and Selection

Linda Davis, State EEO Coordinator, in coordination with local Job Service Offices throughout the state, will be presenting this informative and interesting seminar in four locations during August. The seminar, which begins at 8:30 a.m. and ends at 4:30 p.m., provides step-by-step procedures for recruitment and selection and identifies the important elements of Equal Employment Opportunity requirements. Cost of the seminar is $55.00. The schedule is listed below. Job Service offices are making all arrangements and interested persons should call the local office for more information.

Great Falls	**August 1**
Cut Bank	**August 3**
Sidney	**August 9**
Helena	**August 31**

ESSENTIALS OF MANAGEMENT

The next session of the seven-part **Essentials of Management** will begin August 24 and end September 28. This series is intended for first-line supervisors and offers something new for experienced and inexperienced managers as well. Actual dates for each session are:

Leading	**Aug 29**
Organizing	**Aug 30**
Delegating	**Sept 6**
Measuring	**Sept 12**
Controlling	**Sept 20**
Protecting	**Sept 27**
Synthesis	**Sept 28**

All those enrolled in the **Essentials of Management** must have approval from their Division Administrators and complete a special application for the series. Applications may be obtained from the Professional Development Center by calling 444-3985.

Anyone desiring further information about these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may register by calling 444-3985.

They're Better When Standing

If you want employees to improve performance, ask them to work standing up. Or at least get them to take stand-up-and-stretch breaks.

Why: Research at the University of Southern California shows that people digest complex facts better and make quicker decisions when standing. Some absorbed information 40 percent faster when standing.

Says Max Vercruyssen, who conducted the research: "The more complex the information that has to be processed before making a decision, the more novel the thought, the grater the benefit."

Source: USA TODAY.

COMING SOON !

1989 EEO Conference with sessions on :

-Investigating Discrimination Complaints (special emphasis on Sexual Harassment)

-Wrongful Discharge

-Diversity

-Supreme Court & Human Rights Updates

September 13 & 14, 1989

Village Red Lion

Missoula, Montana

ACKNOWLEDGEMENTS

The State Personnel Division thanks the following people who provided articles and assistance for this issue of Montana Personnel Perspectives:

John Camper
Linda Dixon
Jeanette Handelin
Linda Kaiser
Gale Kuglin
Lana Loughrie
Randy Pugh
Rod Sundsted

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 444-3983.

PROFESSIONAL DEVELOPMENT CENTER CLASSES

	August 1 EEO, Rcmnt, Selct **Great Falls**	2 Marketing in Public Sector Who Hire/Doc Discip **Lewistown**	3 EEO, Rcmnt, Selct **Cut Bank** Team Building	4
7	8 Approaching Supervision	9 EEO, Rcmnt, Selct **Sidney** Advanced Editing Skills	10 Take Your Word & Diversity **Missoula**	11
14	15 Fire Me & I'll Sue	16 New Employee Orient	17 Remote Supervision Take Your Word...	18 Drug Free Workplace
21	22 Take Your Word & Diversity **Butte**	23 Managing Conflict	24 Self Management	25
28	29 **EOM - Leading**	30 **EOM Organizing**	31 EEO, Rcmnt, Selct **Helena** Dfclt Pple & Negotiating **Kallspell**	

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PERSONNEL DIVISION
ROOM 130, MITCHELL BUILDING
HELENA, MONTANA 59620

Montana Personnel Perspectives is published monthly by the State Personnel Division, Department of Administration. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced without permission. Comments should be directed to "Perspectives Editor" at the address below.

State Personnel Division
Room 130, Mitchell Building
Helena, Montana 59620

Phone: (406) 444-3871

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Volume IX, Number 3 August, 1989

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What Makes A Leader?

(NOTE: The following is an excerpt from Personnel Management Digest, Vol. IX, No. 1, 1989.)

What makes a person a leader? Harry Truman defined leadership as, "the ability to get other people to do what they don't want to do and like it." Management consultants largely agree that all leaders share the following characteristics:

1. **Trust**

The high commitment organization pushes responsibility down the ladder and relies much more on the energies and talents of the entire work force. If employees don't display much energy and talent it may be because they don't trust that those qualities will be rewarded, believing that management doesn't trust the employees to exhibit them.

Mutual trust between top management and employees is the answer to making an organization work. Taking the initial step toward

giving more responsibility to subordinate employees involves letting them have a voice in the decision-making process. Benefits accrue to organizations that give subordinates more freedom. Employees encouraged to act autonomously often come up with new and innovative ideas. More importantly, giving employees more freedom helps them become leaders who one day may take charge.

2. The Ability To Develop A Vision

Employees like to keep an eye on the future. They want to know where they're going and why. Developing a motto, defining objectives and demonstrating what is expected are means of communicating the direction of an organization to employees.

3. The Ability To Handle A Crisis

The acid test of leadership is crisis. The best leaders are those who remain calm under pressure -- they inspire others to act calmly and with intelligence. Leaders have to lead. They must take a position and if necessary, take charge, or face a credibility gap.

4. A Desire To Encourage Risk Taking

Effective leaders not only encourage employees to take chances, they encourage them to be strong enough to admit their mistakes. The future of any organization rests on the willingness to take chances. The best way for a leader to convey that message is to set an example.

5. Knowledge

Successful leaders do their homework. Employees are much more likely to listen to and follow their leader when they know that he or she knows at least as much as they do. If leaders are new to the field, they quickly develop the expertise needed to make sound decisions.

6. Not Adverse To Dissention

An effective leader wants some dissent because dissent encourages controversy and the expression of whatever is on employees' minds. An effective leader listens to both sides of an issue, listens to all the advice given, then synthesizes it, taking the best of all views.

7. The Ability To Simplify

Effective leaders are able to determine what is important and arrive at simple answers to complex questions. They're able to zero in on essentials. They see the big picture, set the course, communicate it and maintain it.

Of course, there are other characteristics that many leaders have that can't be taught. However, the key to becoming an effective leader is to maintain a well-rounded lifestyle. That is, incorporate the above characteristics with an active existence away from the office. Encouraging such practices among employees by personal example adds to an organization's overall effectiveness and the well-being of all staff.

For more information about management training opportunities in state government, call John Moore, 444-3749 or B.J. Combest at 444-3774.

SECC Scheduled For September

The State Employees' Combined Contributions Campaign (SECC) is set to begin on September 18th. State employees will have eight weeks (until November 10th) to contribute to their favorite participating charitable organizations through automatic payroll deduction.

Governor Stan Stephens has appointed Lieutenant Governor Allen Kolstad as SECC chairperson.

Umbrella federations participating in the 1989 campaign include: Combined Health Appeal of Montana, Montana Community Shares, and the local United Ways of Cascade, Flathead, Gallatin, Hill, Lewis & Clark, Missoula, Park, Silver Bow, and Yellowstone counties. State employees who wish to make tax deductible charitable donations during this fund raising campaign will be able to choose from a list of over 200

member agencies of these federations.

A network of state employee volunteers is being established to facilitate the distribution of campaign information and the collection of pledged donations. If you are interested in participating as a volunteer solicitor during this year's campaign, please contact the coordinator for your agency. The following is a list of agency coordinators.

Legislative Branch: Jan Parsley and Jim Haubein

Judicial Branch: Patty Harris

Governor's Office: Don Ramage

Secretary of State: Kathy Lubke

State Auditor: Georgia McGowan

Justice: Anita Drews

Public Service Commission: Madeline Cottrill

Montana Arts Council: Jeanine McCarthy

State Library: Kathy Smith

Montana Historical Society: Lory Morrow

Fish, Wildlife & Parks: Dale Graff

Health & Environmental Sciences: Glenna McClure

Highways: Dick Clark

State Lands: Gary Amestoy

Livestock: Lisa Loyning

Natural Resources: Jim Bond

Revenue: Bev Bernal

Administration: Linda King

Agriculture: Carol Kimble

Institutions: Doug Barnes

Commerce: Glenda Craft

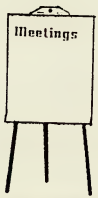
Labor & Industry: Kay Anderson

Military Affairs: Steve Barnard

Social & Rehabilitation Services: Dan Poullot

Family Services: Peter Guthridge

For more information about SECC, call Linda Dixon, State Personnel Division, 444-3794.



State Employees Group Benefits Advisory Council Meets

Tom Cavanaugh of Gabriel, Roeder, Smith and Company, was retained to advise the state about the deferred compensation program. Cavanaugh made recommendations for bidding existing contracts at the State Employee Group Benefits Advisory Council meeting on July 25. He reviewed current contracts held with the carrier (Nationwide) and the third party administrator (the Public Employees' Benefits Services Corporation, PEBSCO). Cavanaugh analyzed services and the program's structure.

He noted that administration and marketing services appear to be very good, based on the growth of the program and absence of employee complaints.

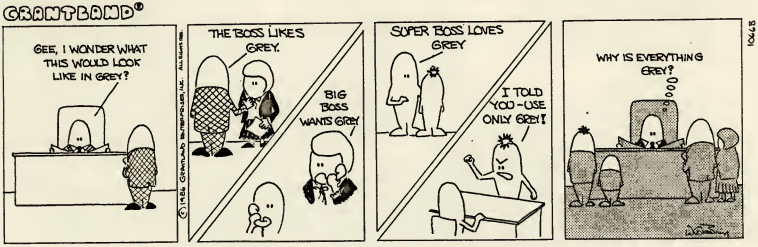
Cavanaugh's assessment of the investments performance for both fixed and variable funds was generally favorable. He noted that none of the Nationwide variable funds outperformed the Standard and Poor 500 stock market index. Cavanaugh indicated that meaningful comparisons were difficult to obtain outside a structured bid process. He recommended soliciting proposals to determine if the program can be improved.

The council voted unanimously to go out to bid on both the carrier investment and third party administration services to test the market.

The next council meeting is scheduled for August 29.

For more information about the council, call Joyce Brown or Randy Pugh, Labor Relations and Employee Benefits Bureau, 444-3871.

Will power is that admirable quality in ourselves which is detestable obstinacy in others.
Source: Unknown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10/6/89

Employees Receive Incentive Awards

Governor Stan Stephens presented cash awards totaling $7,041 to seven state employees in Helena on July 10th. Each employee was presented with a check and a plaque signed by the governor as part of individual recognition for the submission and implementation of an award winning idea.

The seven employees were presented with cash awards ranging from $25 to $3,000 and plaques recognizing their efforts to reduce the cost of state government operations or improve the efficiency of services provided to the citizens of Montana.

Robert Fischer of the Department of Highways developed neoprene signs and a portable sign stand for use by highway maintenance personnel. This suggestion will be implemented statewide and patented by the department. This suggestion is expected to save the agency approximately $323,955 per year. Fischer, a utility agent for the department, was awarded $3,000 for his idea.

Dennis Dupre suggested a method for maintaining computer hardware. This suggestion is expected to save approximately $30,000 each year until the equipment is replaced. Dupre received an award of $3,000. He is a software specialist for the Department of Highways.

William Pedula is a field maintenance supervisor for the Department of Highways in Big Timber. Pedula was awarded $750 for his suggestion. He proposed the use of two-faced signs for a variety of temporary maintenance jobs which is expected to save the department approximately $7,500 per year.

Carl Gress and Donald May suggested using an adjustable counter balance for erecting and taking down large fold-up highway signs. Their suggestion is expected to save the department approximately $1,609 per year. Gress and May each received $83. Gress is a truck driver and May is a field maintenance supervisor for the Department of Highways.

Bonnie Jean Triplett, a retired employee from the Department of Revenue, suggested the use of an informational brochure to provide property owners with an explanation of how property tax laws are administered in Montana. Triplett's suggestion is expected to save the agency approximately $1,000 per year. She received an award of $100.

Vi Pigman suggested exchanging award-winning ideas with other states that have incentive award programs. This idea is expected to improve the quality of services and reduce costs by exchanging ideas with other states. Pigman received

an award of $25. She is employed as an administrative assistant for the Department of Administration.

These awards were made possible through the state's Incentive Award Program. This program allows state employees to be recognized and monetarily rewarded for suggestions that reduce the cost of governmental operations or improve services to the citizens of Montana. The state and its taxpayers have realized more than $861,852 in savings through the Incentive Awards Program.

For more information, call Randy Pugh or Vi Pigman, State Personnel Division, at 444-3871.

DID YOU KNOW?

High blood cholesterol, along with smoking and high blood pressure, is a major factor that increases your chances of getting heart disease.

Twenty-seven percent of adults in the United States have cholesterol levels that put them at high risk for developing heart disease.

SEPTEMBER IS NATIONAL CHOLESTEROL EDUCATION MONTH.

Watch for next month's article, "High Blood Cholesterol: Eating to Lower It", from the Department of Health and Enviromental Sciences.

HEALTHBEAT:

Health Organizations Recommend Against Use of Fish Oil Supplements

The latest "hot-button" in nutrition and health is fish oils, or more precisely, the omega-3 fatty acids, EPA (eicosapentaenoic acid) and DHA (docosahexaenoic acid). Evidence that diets high in fish oils may offer some protection against coronary heart disease (CHD) comes from studies of Greenland Eskimos who consume diets consisting primarily of fatty fish, yet have a very low incidence of CHD. Claims have been made that they not only offer a protective effect against CHD, but that these oils may also lower blood cholesterol and triglycerides, and even improve hypertension and arthritis. Fish oil capsules have become widely available to consumers without a prescription, and sales are climbing at a phenomenal pace.

On closer examination, these community-based studies have shown a relationship between fish and marine animal content of the diet and lower vascular disease rates. Fish oil itself has never been tested in a clinical trial of heart disease prevention. It is conceivable that some other component of fish may be the protective element.

Both the American Heart Association and the National Heart, Lung, and Blood Institute believe that there is inadequate data to support a recommendation to use these oils for the prevention or treatment of CHD, and have gone on record against their use. However, increased consumption of fish is recommended not only to provide omega-3 fatty acids, but also to serve as a substitute for meats which are high in saturated fatty acids.

Since some data suggest that consumption of any type of fish, not just those varieties high in omega-3 fatty acids, is associated with decreased risk of CHD, it may be advisable to consume any variety of fish at least 2-3 times per week.

For information about wellness programs for state government employees, call Linda Kaiser, wellness officer, 444-3946.

Source: HealthVantage January, 1988.

Governor's Committee On Employment Of People With Disabilities

GCEPD Holds Summer Meeting

Jim Brown, Department of Commerce, addressed accessibility and building codes at the July 28th meeting of the Governor's Committee on Employment of People with Disabilities (GCEPD). Old business included reports on awards, the public service announcement, legislation, accessibility, the task force on

the severely disabled, and the 1989 Disability Employment Conference preparations.

The committee noted recent resignations of committee members. There are now committee vacancies in the public, private and member-at-large categories.

Members decided to attend the October 24th conference in lieu of a fall quarter meeting.

For more information on GCEPD or to place names in nomination to fill committee vacancies, call Linda Currie, 444-3886.

Staff Changes

Ken McElroy joined the Classification Bureau of the State Personnel Division in July. McElroy is employed as a personnel specialist. Previously, he was employed as custodial services supervisor in the General Services Division.

His telephone number is 444-3808.

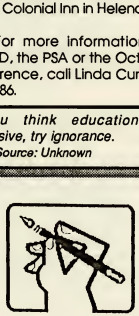
Public Service Announcement Filmed

The Governor's Committee on Employment of People with Disabilities (GCEPD) recently filmed a thirty second public service announcement (PSA) to be aired on Montana television stations later this year. The PSA focuses on the abilities of persons with disabilities. The committee hopes that seeing what disabled people can do for themselves and for Montana businesses will enhance employment opportunities for all disabled Montanans.

The PSA was made possible by a grant from the Women in Employment Advisory Council (WIEAC). It was filmed by Mandy Telefilms of Butte. The PSA should be available for viewing at the 1989 Disability Employment Conference on October 24, 1989 at the Colonial Inn in Helena.

For more information on GCEPD, the PSA or the October conference, call Linda Currie at 444-3886.

If you think education is expensive, try ignorance.
Source: Unknown



Classification

The Job Audit

In the state's Classification Bureau, personnel specialists regularly conduct job audits of state government positions. For persons who are audited, the prospect of a job audit may bring up a variety of questions. The following information provides a brief overview of the job audit and describes what an employee may expect during that process.

What is the purpose of a job audit?

A classification job audit is conducted to gather information about the duties assigned to a position. This information supplements or clarifies the job description. Most often the person who performs the duties (the "incumbent") can best describe and explain them. The supervisor of the position may also be "audited" to clarify or confirm information provided by the incumbent.

How will the information be used?

The information gathered from job audits will be used to determine whether the position is correctly classified. If the occupation is under review, the information will be used to develop a new class specification.

What happens in a job audit?

The employee has the opportunity to explain what he or she does and how it is done. The analyst will guide the discussion by asking questions, usually based on information provided on the position description. The analyst needs to know about all aspects of a position that affect its classification, such as diversity of duties, supervision received and exercised, and the effect the work has on the agency's mission.

If an employee feels that important aspects of the work were not covered in the analyst's questions, or if he

wants to know more about classification methods and procedures, he should speak up! However, some things don't count in classifying positions and won't be covered during the job audit. These include: what other employers pay for comparable work, the amount of work assigned, work performance, length of service, or any other personal characteristic.

What can be done to prepare for the audit?

The employee should expect to spend about an hour with the job analyst and make whatever arrangements are necessary to limit work interruptions during that time. It is helpful to have the relevant position description on hand.

The incumbent should be prepared to discuss in detail the information contained in the position description, including the amount of time spent on each major duty. If special tools, equipment, reference materials, forms or reports are used, they may need to be demonstrated to the job analyst.

When will the results be known?

Normally, results of a position review are communicated to the agency personnel officer within a few weeks. Evaluation of information for occupational reviews takes longer.

If questions arise about the status of a position review, the employee should contact the agency personnel representative. The Classification Bureau will provide the results of its review directly to the agency personnel representative, who is then responsible for communicating them to the incumbent and supervisor.

For more information about job audits of state government positions, call Paula Stoll, Classification Bureau, 444-3885.

PDC AUGUST CLASSES

PRE-RETIREMENT PLANNING SEMINAR

Employees who are within five years of retirement and live in or around the Great Falls area will want to attend this two-day **Pre-Retirement Seminar**. It will be held in Great Falls at the Heritage Inn, September 6 and 7. This seminar will begin at 9:00 a.m. and end at 4:30 p.m. Instructors will examine retirement from a mental, physical, and financial planning standpoint. Cost of the seminar, which is jointly sponsored by the PDC and the Public Employees' Retirement System, is $50.00. Spouses are urged to attend, free of charge.

EVERYDAY NEGOTIATING SKILLS

This seminar will begin at 10:00 a.m. and end at 3:00 p.m., on September 7, in the Lee Metcalf building at the Capitol Complex in Helena. **Everyday Negotiating Skills** will benefit anyone who would like to become a more skillful negotiator in the workplace and learn problem-solving skills. Cost of this seminar is $45.00.

MEDIA RELATIONS

This day-long seminar is intended for anyone who has contact with the press. It addresses the rights and responsibilities of working with the press, and includes a video recorded press interview. It will be presented in the Lee Metcalf Building, September 19, from 8:30 a.m. to 4:30 p.m. Cost is $65.00. John Camper, PDC, is the instructor.

MEETINGFUL MINUTES

Those who take minutes for meetings will enjoy and learn at this popular seminar offered by Ray Fenton, management consultant. The seminar will be held in the Glacier Room, Lee Metcalf building, September 19 from 1:00 p.m. to 4:30 p.m., and on September 20 from 8:30 a.m. to noon. Cost is $65.00.

ALSO IN GREAT FALLS...

On September 21, PDC will present two work-shops in Great Falls at the Heritage Inn. **Working With Difficult People** will be conducted from 8:30 a.m. to noon. Participants will learn to identify the various types of "difficult people," how to cope with each and maintain a comparatively good rapport. **Everyday Negotiating Skills** will be offered from 1:00 to 4:30 pm. This seminar will benefit anyone who would like to become a more skillful negotiator in ordinary workplace situations and learn skills that can be

applied to any situation where problems need solving. The cost of these half-day seminars is $45 each or $80 for the full day.

ATTITUDE ADJUSTMENT

This day-long seminar is aimed at helping individuals get the most from work and life. It addresses personal development and characteristics that help or interfere with that process. The seminar will be presented on September 27 in the Lee Metcalf Building from 8:30 a.m. to 4:30 p.m. Cost is $65.00, and the instructor will be James Burgess of Professional Resources, a consulting firm in Helena.

Anyone desiring further information about these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may register by calling 444-3985.

ACKNOWLEDGEMENTS

The State Personnel Division thanks the following people who provided articles and assistance for this issue of Montana Personnel Perspectives:

Joyce Brown
John Camper
Mark Cress
Linda Currie
Linda Dixon
Laurie Ekanger
Jeanette Handelin
Gale Kuglin
Randy Pugh
Paula Stoll

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 444-3789.

Professional Development Center Classes

				September 1
4 Labor Day	5	6 EOM - Delegating	7 Everyday Negotiating	8
		Pre-Retirement Planning Great Falls		
11	12 EOM - Measuring	13	14	15
		EEO Conference Missoula		
18	19 Media Relations	20 BOM - Testing	21 Introduction to SBAS	22
		EOM - Controlling	BOM - Assignment	
	Meetingful Minutes		Dfclt Pple & Negotiating Great Falls	
25	26 BOM - Challenge	27 EOM - Protecting	EOM - Synthesis 28	29
		Attitude Adjustment		

FUNDAMENTALS *for the Future*

the ninth annual EEO conference

Working with equal employment opportunity and personnel requires critical skills and knowledge in the "real world." Consider these thorny questions:

- How do you respond when an employee brings a complaint of discrimination or sexual harassment?
- What are the newest legal developments regarding wrongful discharge, and how do they affect employers?
- How do recent decisions in state and federal courts, as well as human rights commissions, affect our work?
- How can we prepare to deal constructively with growing cultural diversity in the workplace?

You can explore these questions with your colleagues at the ninth annual EEO Conference. These two days of informative discussions will benefit personnel specialists, attorneys, and managers in both the private and public sectors.

Plan now to join us in Missoula. The coffee is hot, the agenda is ready, and the issues are current. It's time to focus on fundamentals as we prepare to move into the 1990s.

agenda

Wednesday, September 13

8:00	**Registration**
8:30	**Welcoming Remarks** *Stan Stephens, Governor*
9:00	**Conducting Discrimination Investigations** *Linda Currie, State Personnel Division*
10:00	**Skit Break** *Personnel Personality Players*
10:30	**Conducting Discrimination Investigations** *(continued)*
	Lunch "on your own"
1:00	**Dealing with Cultural Differences in the Workplace** *Deborah LaCounte, Consultant*
3:00	**Recent cases in the courts and Human Rights Commission** *Lewis Smith, State Personnel Division; Anne MacIntyre, Human Rights Division*
6:00	**Conference Reception**

Thursday, Sept. 14

8:30	**Developments in Wrongful Discharge** *John Moore, State Personnel Division*
10:00	**Skit Break** *Personnel Personality Players*
10:30	**Developments in Wrongful Discharge** *(continued)*
	Lunch "on your own"
1:00	**Exploring Perceptions in Diversity** *BJ Combest, State Personnel Division*
3:00	**Adjournment**

conference location: Village Red Lion (100 Madison, Missoula)
conference fee: $55 (includes materials, refreshment breaks, and reception)
lodging: Make your own lodging arrangements. A block of rooms has been set aside at the Campus Inn (744 E. Broadway; 549-5134); specify EEO Conference.
for more information: Call Linda Currie (444-3886) or Linda Davis (444-3796)

REGISTRATION FORM

Name _____ **Title** _____

Agency or Company _____

Business Address- _____
street or box

_____
city state zip

Business Phone _____

Billing Arrangements (make checks payable to State of Montana)

☐ check enclosed ☐ I plan to pay on-site ☐ please bill after conference

Detach and mail or deadhead this form; address is on back.

REGISTRATION FORM

Name _____ **Title** _____

Agency or Company _____

Business Address _____
street or box

_____
city state zip

Business Phone _____

My interest in the conference is as ...

☐ a disabled person ☐ an employer ☐ a service provider

Billing Arrangements (make checks payable to **State of Montana**)

☐ check enclosed ☐ I plan to pay on-site ☐ please bill after conference

Send this form to ...

GCEPD
State Personnel Division
130 Mitchell Building
Helena, MT 59620

Action Plan '89

Disability Employment Conference
State Personnel Division
130 Mitchell Building
Helena, MT 59620

BULK RATE
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Action Plan '89

Today's Opportunities for Tomorrow's Jobs

Governor's Committee on
Employment of People with Disabilities
and Human Resources Development Institute

1989 Disability Employment Conference
October 24 • Helena

Montana Personnel Perspectives is published monthly by the State Personnel Division, Department of Administration. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced without permission. Comments should be directed to "Perspectives Editor" at the address below.

State Personnel Division
Room 130, Mitchell Building
Helena, Montana 59620

Phone: (406) 444-3871

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State Personnel Division
Department of Administration
Room 130, Mitchell Building
Helena, MT 59620

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LD Staff

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Montana Personnel Perspectives

Volume IX, Number 4 September, 1989

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Tips for Managing High Cholesterol	4
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Items of Interest

ROUTE TO:

PLEASE RETURN

RETURN TO:

SC
dg

New Veteran's Preference Act Effective October 1

A public hearing is scheduled at the Social and Rehabilitation Services Auditorium in Helena on October 23 at 12:15 p.m. to receive comments on proposed rules relating to veteran's employment preference. Written comments may be submitted to Laurie Ekanger, administrator, State Personnel Division, until October 27.

Until the rules can be formally adopted later this fall, the State Personnel Division has prepared a briefing paper which outlines the major elements of the new law, including eligibility, what the preference means, and how to apply it. The proposed rules will apply to state government and all local governments covered by the act.

The new Veteran's Preference Act becomes effective on October 1. The act, passed by the 1989 Legislature, provides for a percentage point preference to be added to the scores of eligible veterans, disabled veterans, and eligible relatives. Percentage points are added only when scored procedures are used to evaluate qualifications.

The new act severs veterans employment preference from handicapped civilians preference in the law. Handicapped employment preference has not changed. Veteran's preference is now found at 39-29-101 et seq., MCA, and handicapped preference remains at 39-30-101 et seq., MCA.

Supplemental Application Form

APPLICANT SURVEY PAGE 5

Title VII of the U.S. Civil Rights Act requires the State of Montana to "make and keep records relevant to the determinations of whether unlawful employment practices have been or are being committed." This is also a requirement of the Montana Human Rights Act. The following survey helps to fulfill these requirements.

This applicant survey will be separated from your application. The survey information will be kept confidential, used only for computerized statistical reports and other lawful uses. Analysis of the information you and others provide will be used to monitor recruitment and selection practices in state government.

Position Closing Date _____

Name _____ Social Security Number ___ ___ ___

Job Applied For: Agency _____ Job Title _____

Location _____ Position No. _____

How did you first learn of this position?

- ☐ Newspaper ad or journal ad
- ☐ Community Organization _____
- ☐ A friend
- ☐ Female, minority, or handicapped referral organization
- ☐ Job Service
- ☐ Other (specify) _____

☐ Male ☐ Female Date of Birth (month/day/year): ____ / ____ / ____

RACE/ETHNICITY

Please check the one box that best describes your race/ethnicity:

☐ WHITE (not of Hispanic origin)
A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

☐ BLACK (not of Hispanic origin)
A person having origins in one of the black racial groups of Africa.

☐ SPANISH (HISPANIC)
A person having origins in Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Cultures, regardless of race.

☐ ASIAN or PACIFIC ISLANDER
A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippines, and Samoa.

☐ AMERICAN INDIAN or ALASKAN NATIVE
A person having origins in any of the original peoples of North America who maintains cultural identification through tribal affiliation or community recognition.

VETERAN or HANDICAPPED STATUS

1. HANDICAPPED: ☐ YES ☐ NO
   If "YES," check any major disability you have:
   - ☐ hearing impairment
   - ☐ visual impairment
   - ☐ mobility impairment
   - ☐ mental impairment
   - ☐ other _____
   - ☐ multiple disabilities

2. Check the one box that best describes your veteran status:
   - ☐ Disabled Vietnam Veteran
   - ☐ Vietnam Veteran
   - ☐ Disabled Veteran of Other Campaign or War
   - ☐ Veteran of Other Campaign or War
   - ☐ Other Disabled Veteran
   - ☐ Other Veteran

3. Check the one box that best describes your status as a preference eligible relative (see item 15, page 4) :
   - ☐ A spouse of a disabled veteran
   - ☐ Unremarried surviving spouse of a veteran or disabled veteran
   - ☐ Mother of a veteran
   - ☐ Spouse of totally (100%) disabled person

4. Do you have certification from the Department of Social & Rehabilitation Services for Handicapped Person's Employment Preference? ☐ YES ☐ NO

PAGE 4

15. If you are claiming preference under the Veterans' Employment Preference Act or Handicapped Persons' Employment Preference Act (see Section 8, page 1), complete the following:

Veterans' Employment Preference provides the addition of 5 percentage points or 10 percentage points to the applicant's score when a numerically scored selection procedure is used.

You may claim Veteran's Employment Preference as (check one of the boxes below):

☐ A Veteran, if
1. you have been separated under honorable conditions,
AND
2. you have served more than 180 consecutive days of active duty other than for training in the Army, Air Force, Navy, Marines, or Coast Guard (not including National Guard or Reserves).

☐ A Disabled Veteran, if
1. you have been separated under honorable conditions from active duty,
AND
2. you have an established Armed Forces, service connected disability OR are receiving compensation, disability retirement benefits, or pension from the Veteran's Administration or military department, OR you have received a Purple Heart.

☐ A spouse of a disabled veteran if the veteran's disability prevents him from working.

☐ Unremarried surviving spouse of a veteran or disabled veteran

☐ Mother of a veteran, if
1. THE VETERAN lost his or her life under honorable conditions while serving in the Armed Forces,OR THE VETERAN has a service-connected, permanent, and total disability,
AND
2. YOUR HUSBAND is totally and permanently disabled, OR YOU are the unremarried widow of the father of the veteran.

You may claim Handicapped Persons' Employment Preference as (check one of the boxes below):

☐ Handicapped person certified by SRS

☐ Spouse of totally (100%) disabled person

If you checked one of the above boxes for Handicapped Person's Employment Preference Act:

Are you a Montana resident? ☐ YES ☐ NO If "YES," date residency established: _____

16. *I hereby certify that all information on this and all attached pages (checked below) is true, correct, and complete to the best of my knowledge and contains no willful falsifications or misrepresentations. I am aware that falsifications or misrepresentations may ultimately rest from consideration for employment with the State of Montana or, if hired, may be grounds for termination at a later date. In the spaces below, I have checked attachments, including those required in the job vacancy announcement. Incomplete or unsigned applications will not be considered.*

- ☐ ADDITIONAL EMPLOYMENT EXPERIENCE FORM (PD-30)
- ☐ TRANSCRIPT
- ☐ APPLICATION SUPPLEMENT
- ☐ RESUMÉ
- ☐ DD 214
- ☐ SRS CERTIFICATION
- ☐ OTHER (specify)

➡ SIGNATURE: _____ DATE SIGNED: _____

Modifications to the state application are needed in order to allow applicants to claim preference and for record keeping purposes. Until the current supply of applications is exhausted, agencies and the Job Service should use the supplemental forms which appear o.

Personnel officers and Job Service offices have received instructions on use of the supplemental forms. If you have questions about these changes on the state application, Linda Davis, 444-3796 or Linda Currie, 444-3886.

The State Personnel Division will be developing new brochures and posters to explain the preference to applicants.

For additional information, call Gale Kuglin, 444-3984, or Liz Hayden, 444-3789.

Proposed Recordkeeping Rules Out

The Department of Administration has distributed drafts of the proposed recordkeeping rules. The rules, which were distributed in July, are available for review upon request. Interested persons may submit comments to their personnel officer by October 2.

Combined Campaign Begins September 18

The State Employee's Combined Contributions Campaign (SECC) is off and runningi Volunteer solicitors began distributing brochures on September 18 from the United Way, Combined Health Appeal of Montana (CHAM), and Montana Community Shares (MCS) to fellow employees. Pledge cards also are being distributed to state employees, either by volunteer solicitors or through each agency's personnel/payroll network. Completed pledge cards and donations may be submitted by employees to their agency solicitors, or in some agencies, through their agency personnel/payroll office. The compaign runs through November 10.

Traditionally, state employees have been very generous when it comes to supporting state and local community charitable groups. This year, state employees may take advantage of the convenience of automatic payroll deduction when making a pledge. The goal for the 1989 SECC campaign is $100,000.

If you have questions about the fund drive, or if you would like to obtain campaign brochures or pledge cards, contact your agency coordinator.

For more information about SECC, call Linda Dixon, State Personnel Division, 444-3794.

New Guidelines For Vacancy Announcements

Job vacancy announcement guidelines have been developed by a task force composed of agency personnel officers, Job Service representatives and the state's EEO coordinator. The guidelines will provide a standardized, consistent procedure for all state agencies which will assist applicants and employees in applying for state jobs.

The task force suggests that agencies place the following information at the top of the vacancy announcement: job title, position number, classification code (optional), division, location of job, status, pay grade, starting salary, bargaining unit, application deadline, and special information. The body of the announcement should contain: typical duties, qualifications, information, compensation (optional) and a section on the application selection process which should include a list of all application materials required for that particular vacancy.

Providing a clear, accurate, and detailed vacancy announcement will increase the likelihood that only qualified, interested applicants apply. For more information on the guidelines, contact Linda Davis at 444-3796, or Linda Currie at 444-3886.

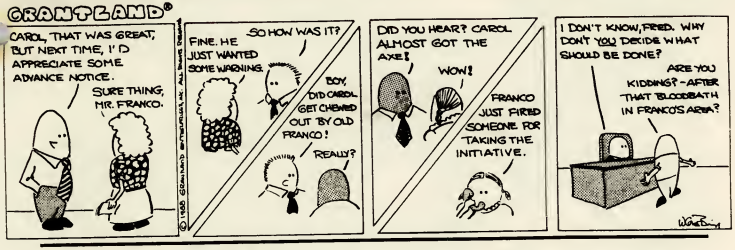
Compensation Committee Appointed

Governor Stan Stephens has appointed the following people to the Committee on State Employee Compensation In accordance with HB 786: **Ralph T. Anderson**, Clancy; **Bob Marks**, chairman, Clancy; **John Radeck**, Helena; **Gene O'Hara**, Missoula; **Bob Kelly**, Missoula; **Gerry Devlin**, Terry; **Vicki Cocchiarella**, Missoula; **Barb Booher**, Clancy, and **Tom Schneider**, Helena. Members of the committee will serve a term ending July 1, 1991.

The committee has been established to review the state's compensation system, determine areas in need of improvement and provide a report to legislators in 1991.

The committee, which is staffed by the state Personnel Division and the Legislative Council, is tentatively scheduled to meet on October 27.

For additional information about the Committee on State Employee Compensation, call Laurie Ekanger, administrator of the State Personnel Division, at 444-3871, or Lois Menzies, Legislative Council, at 444-3064.


GRANTLAND®
CAROL, THAT WAS GREAT, BUT NEXT TIME, I'D APPRECIATE SOME ADVANCE NOTICE.
SURE THING, MR. FRANCO.
SO HOW WAS IT?
FINE. HE JUST WANTED SOME WARNING.
BOY, DID CAROL GET CHEWED OUT BY OLD FRANCO!
REALLY?
DID YOU HEAR? CAROL ALMOST GOT THE AXE!
WOW!
FRANCO JUST FIRED SOMEONE FOR TAKING THE INITIATIVE.
I DON'T KNOW, FRED. WHY DON'T YOU DECIDE WHAT SHOULD BE DONE?
ARE YOU KIDDING? - AFTER THAT BLOODBATH IN FRANCO'S AREA?
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Staff Changes

BJ Combest, formerly a management trainer with the Professional Development Center (PDC) in the state Personnel Division, is now employed by the Office of Public Instruction. Combest left the PDC on September 15 to begin her position as a Chapter I Specialist. For information about the state's training opportunities offered by PDC, call John Camper, 444-3855 or John Moore, 444-3749.

Lana Loughrie, supervisor of the standards and methods section of the state Classification Bureau, began a leave of absence on September 1. Loughrie will pursue continuing education in Portland and expects to return to the bureau in March, 1990. Currently, the standards and methods section is staffed by Esther Schneiter, 444-3803 and Paula Stoll, 444-3885.

1987 Employee Handbooks in Short Supply

Central Stores has a limited number of state Employee handbooks left in stock. When current supplies are exhausted, the handbook will not be available again for several months.

Typically, the handbook is given to new employees. However, it contains valuable information for all employees regardless of their length of state employment.

To order a supply of handbooks, which cost 63 cents each, call Central Stores at 444-4514. The order number is 9000-0870.

HEALTHBEAT

Tips for Managing High Cholesterol

Eat less fat. Eat less saturated fat. Eat less cholesterol. Lose weight (if you are overweight). These may all be part of your effort to lower high blood cholesterol. According to the National Cholesterol Education Program (NCEP) in Bethesda, Maryland, following such a plan is not as tough as may sound. In its effort to recognize September as National Cholesterol Education Month, the NCEP has prepared the following information about the dangers of high blood cholesterol and suggestions that will help manage the problem.

Why Is High Blood Cholesterol Bad?

Too much cholesterol in your blood builds up inside your arteries. This build-up makes the opening in the arteries smaller and smaller. Your heart does not get the oxygen and food that it needs. A heart attack occurs when these arteries are so clogged that blood stops flowing to the heart.

Desirable Blood Cholesterol: Less than 200 mg/dl

Borderline-High Blood Cholesterol: 200-239 mg/dl

High Blood Cholesterol: 240 mg/dl and above

(Note: These categories apply to anyone 20 years of age or older.)

How Do You Lower High Blood Cholesterol?

Eat less fat. Cutting down on the fat in your diet is a major step toward lowering your blood cholesterol because it helps you eat less saturated fat and fewer calories. Examine the foods you eat. Are they fried? Served with butter? Cooked in cheese sauces? Covered with dressing? These foods are high in fat and probably saturated fat.

Eat less saturated fat. All fats are not the same. *Saturated* fats are often hard fats. Butter, cheese, whole milk, ice cream, and cream all contain high amounts of saturated fat. It is also concentrated in the fat that surrounds meat and in the white streaks of fat running through meat. Poultry, fish, and shellfish also contain saturated fat, although generally not as much as meat. A few vegetable fats (coconut oil, palm kernel oil, palm oil, and cocoa butter) are also high in saturated fat and are found in some store-bought foods. Saturated fats raise blood cholesterol more than anything else in your diet. Unsaturated fats are found in peanut, rapeseed (canola), safflower, sesame, and soybean oils.

Eat less cholesterol. The cholesterol found in food - called dietary cholesterol - can also raise your blood cholesterol level. Dietary cholesterol is found only in foods from animals such as dairy products, meat, poultry, fish, and shellfish. High amounts of cholesterol are found in egg yolks and organ meats (liver, kidney, sweetbread, and brain).

Lose weight (if you are overweight). People who are overweight often have high blood cholesterol levels. Losing weight can help bring down this level. A diet low in fat and saturated fat is the best way to lose weight and lower your blood cholesterol at the same time. High-fat foods are high in calories. Eating low-fat foods lets you eat the amount you're used to, but with fewer calories. Good low-fat choices are foods high in starch or fiber, like pasta, rice, fruits, vegetables, whole-grain breads and cereals, and dried peas and beans.

THE CHOICE IS YOURS

You can make good choices to protect your heart and your health. Cut down on foods with high amounts of fat, saturated fat, and cholesterol. Substitute unsaturated fat for saturated fat. Lose extra pounds. Eat well and live well at the same time. The choice is yours!

For more information about high blood cholesterol and how to lower it, call Marsha McFarland, health education specialist, Department of Health and Environmental Sciences, 444-2555.

Labor Relations Issue

Issue

Hank supervises ten employees who are covered by a collective bargaining agreement. He enjoys a good relationship with his subordinates, but is alarmed when one of them presents him with a grievance. How should I handle it, he wonders?

Answer

Hank's concern is understandable. The initial handling of employee grievances is the most critical step in the grievance procedure. An effective response at the informal stage can boost employee morale and keep petty "gripes" from reaching the bargaining table. However, for many supervisors, grievance handling is a new and disquieting responsibility. They feel caught in the middle, between the attitudes of higher-level management and the needs of their employees.

In their book, The Public Administrator's Grievance Arbitration Handbook, authors Paterson and Murphy (1983) offer the following tips for effectively handling grievances at the first level:

1. Determine the Problem

   -Let the grievant tell his or her story. Then listen.
   -Don't personalize the issues.
   -Take notes. Keep a record.
   -Ask the grievant to repeat his or her story.

2. Gather Facts

   -Obtain names, dates, times and locations.
   -Review the section of the contract allegedly violated.
   -Clarify the employees' desired remedy.

-Repeat the essentials of the grievance to the employee in your own words.
-Look for hidden complaints.

2. Get the Facts

-Check the labor agreement, policies and regulations.
-Determine the time limits and grievability.
-Clarify policy and practices.
-Examine previous grievance settlements for precedent.
-Survey others who have had similar experiences.
-Seek advice if necessary.

3. Give a Timely Answer

-Reach a preliminary decision and check it with your supervisor or a personnel representative.
-Settle the grievance at the earliest moment that a proper settlement can be reached.
-Write a simple answer to the grievance.
-Discuss your answer with the employee.
-Explain the employee's right to appeal.

4. Follow Up

-Once a decision is made, stick to it.
-Make sure any action promised was carried out.

If you have questions about grievance handling, call your agency personnel officer or the Labor Relations and Employee Benefits Bureau, 444-3871.

Professional Development Center

OCTOBER CLASSES

PRE-RETIREMENT PLANNING SEMINAR
Employees who are within five years of retirement will want to attend this two-day pre-retirement seminar. It will be held in Helena at the Coach House Inn East, October 30 and 31. This seminar runs from 9:00 a.m. till 4:00 p.m. each day and examines retirement from a mental, physical, and financial planning standpoint. Cost of the seminar, jointly sponsored by the PDC and the Public Employees' Retirement System, is $50.00. Spouses are urged to attend, free of charge.

TECHNICAL WRITING
This seminar will be held from 8:30 a.m. to 4:30 p.m., October 5, in Helena at the Lee Metcalf Building. It will benefit anyone who is faced with the problem of providing written technical information in a non-technical format. The instructor for this popular seminar is Thomas Livers, assistant bureau chief, Energy Division, DNRC. Cost of this seminar is $60.00.

NEW EMPLOYEE ORIENTATION
The quarterly orientation for new employees will be held in the Lee Metcalf Building, October 18, from 10 a.m. to noon. This is an opportunity for new state employees to ask questions about their benefits, rights and responsibilities. Cost of the orientation is $15.00.

WINDMILLS
This half-day seminar is intended to help anyone become more aware of the frustrations and obstacles faced by handicapped people in the workplace. It will be presented in the Lee Metcalf Building, October 18, from 1:00 p.m. to 4:30 p.m. Cost is $25.00. Linda Currie, assistant EEO coordinator, is the instructor.

WORKING WITH SBAS INPUT DOCUMENTS
This day-long seminar is intended to improve skills in interpreting SBAS and ICC documents. It is taught by Terry Atwood of the Accounting Division, and will be held, October 23, in the Lee Metcalf building. Cost is $60.00.

OTHER CLASSES TOO!

Many other seminars and workshops are being offered by the Professional Development Center during the month of October.

- **...Documenting Disciplinary Actions,** Oct 3, $45.00
- **...Working with Difficult People,** Oct 10, $45.00
- **...Program Planning,** Oct. 12, $60.
- **...Valuing Diversity in the Workplace,** Oct 17, $45.

+...Self Management, Oct 19, $60.
+...Approaching Supervision, Oct 26, $60.
+...Advanced Editing Skills, Oct 26, $60.

Anyone desiring further information on these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may also register by calling 444-3985.

ACKNOWLEDGEMENTS

The State Personnel Division thanks the following people who provided articles and assistance for this issue of Montana Personnel Perspectives:

John Camper
Mark Cress
Linda Currie
Linda Dixon
Laurie Ekanger
Jeanette Handelin
Steve Johnson
Gale Kuglin
Marsha McFarland

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 444-3789.

Professional Developmental Center Calendar

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
October 2	3 Documenting Disciplinary Actions	4 **BOM - Job**	5 Technical Writing	6
9 **COLUMBUS DAY**	10 Working with Difficult People	11 **BOM - Staff**	12 Program Planning	13
16	17 Valuing Diversity **BOM - Problems**	18 Windmills New Employee Orient	19 Fire Me & I'll Sue Livingston Self Management	20
23 Input Documents - SBAS	24 **BOM - Choices** GDEPD Conference - Helena	25 **BOM - Testing**	26 Advanced Editing Approaching Supervision	27
30 Pre-Retirement Planning **Helena**	31 **EOM - Leading**			

Today's Opportunities for Tomorrow's Jobs

1989 Disability Employment Conference

sponsored by

Governor's Committee on Employment of People with Disabilities
Human Resources Development Institute

The difference between disabled and other job applicants is merely physical. Employers need to look beyond appearance and concentrate on abilities.

The disabled population is an important, but often overlooked, source of capable new workers. This group is particularly well suited to the economy's shift toward service occupations and away from physically demanding jobs of the past.

Keeping these facts in mind, this one-day conference focuses on what the disabled can do today to prepare for tomorrow's jobs. The awards presented at the conference recognize people who have made strides to realize this theme.

agenda

7:30 – 8:30 **Registration**

8:30 – 9:00 **United Beginning**
Plenary session explaining the conference theme and content of the sessions.

9:00 – 10:00 **Information Workshops**

labor market review
Information on employment trends, the job market in Montana, and state-wide statistics. A projection of tomorrow's job opportunities.
Bob Rafferty and Cathy Shenkle, Department of Labor & Industry

coalition for communication
The Helena Coordinated Placement Committee will focus on methods for coordination of available services and mutual cooperation.

10:00 – 11:30 **Concurrent Interactive Sessions**

employers
A panel of employers will discuss hiring decisions, advantages of employing the disabled, and where to go for help. The last hour of the morning will feature a job fair.
Ron McDonald, Lowell Bartels, and Jean Nottingham (facilitators)

service providers
Guided discussion on improving image, reaching the unreachable, and preparing issues for the afternoon session.
Fred Fisher, Mark Bowlds, Denise Kagie, and Dennis Taylor (facilitators)

people with disabilities
Guided discussion on the main issues facing people with disabilities today.
Bob Lemieux, Brett Vieke, Judy Harris, and Gordon Hage (facilitators)

11:30 – noon **Concurrent Activities**

participate!
This period will feature a Job Fair for employers and disabled applicants. It is also an opportunity to take in the displays.

noon – 1:30 **Luncheon General Session**
Governor Stan Stephens will present awards to recipients of the Montana Large and Small Employers of the Year, Disabled Person of the Year, and Service Provider of the Year.
Keynote: Bob Maffit, Department of Social and Rehabilitation Services

1:30 – 3:30 **Speak Out**
A summary session of the morning's concurrent interactive sessions. The facilitator will solicit comments from representatives of each morning session. Concerns and cooperative comments will lead to setting goals for solving problems.

3:30 – 4:00 **Evaluations and Adjournment**

REGISTRATION FORM

Name _____ **Title** _____

Agency or Company _____

Business Address _____
street or box

_____
city state zip

Business Phone _____

My interest in the conference is as ...

☐ a disabled person ☐ an employer ☐ a service provider

Billing Arrangements (make checks payable to **State of Montana**)

☐ check enclosed ☐ I plan to pay on-site ☐ please bill after conference

Send this form to ...

GCEPD
State Personnel Division
130 Mitchell Building
Helena, MT 59620

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Phone: (406) 444-3871

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Montana Personnel Perspectives

Volume IX, Number 5 October, 1989

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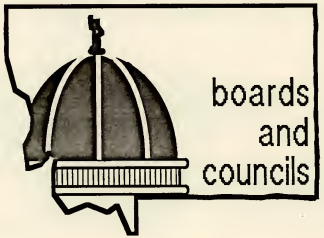

Committee on State Employee Compensation

First Meeting Explores Background on Issues

Governor Stephens addressed the Committee on State Employee Compensation at its first meeting on October 27, 1989.

During the meeting, staff provided background information on compensation and related issues. In addition, members reviewed and adopted a study plan and meeting schedule.

The committee was authorized by the 1989 Legislature through passage of House Bill No. 786 ("The Pay Bill") during the regular session. Support for creation of the committee grew out of the concerns and frustrations of state managers and employee organizations about perceived inadequacies with the state's compensation system. This legislation directs

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the committee to examine policies governing state employee compensation, assess various components of the compensation system, and report its findings and recommendations to the governor and the 52nd Legislature.

The committee anticipates that it will meet eight times to complete its tasks: two meetings to brief members on compensation matters; two meetings to identify problems; two meetings to examine options for resolving the problems; and two meetings to develop recommendations. The State Personnel Division of the Department of Administration and the Legislative Council provide staff services for the committee.

For additional information about this committee, call Laurie Ekanger at 444-3871 or Lois Menzies at 444-3064.

Wetzel Addresses EEO Conference

The Ninth Annual EEO Conference was held on September 13 and 14 at the Village Red Lion in Missoula. This year's conference, "Fundamentals for the Future" focused on a variety of issues including **Conducting Discrimination Investigations, Dealing with Cultural Differences in the Workplace, Human Rights and Supreme Court Cases, Developments in Wrongful Discharge and Exploring Perceptions in Diversity.** Don Wetzel, Coordinator of Indian Affairs, made the opening remarks, emphasizing that Native Americans, the largest minority race in Montana, face a number of employment barriers. Wetzel discussed the efforts made by public employers to overcome these barriers and encouraged greater understanding of cultural differences in the workplace.

More than 60 people attended the conference and rated it as an excellent resource for all human resource specialists.

For additional information about the conference, call Linda Davis, state EEO coordinator, 444-3796.

Disabled Employment Awards Presented

The highlight of the 1989 Disability Employment Conference was the presentation of the Annual Awards at the luncheon general session. This year's state winners are:

Large Employer of the Year - **Target Stores**, Great Falls, **Tammy Bull**, Personnel Manager

Small Employer of the Year - **Jan-Bar, Inc.** Great Falls, **Tim Kirby**, Manager

Service Provider of the Year - **Gretchen Rooney**, Helena School District #1, **Capital High School**

Disabled Person of the Year - **Steve E. Speidel**, a computer clerk for the **Soil Conservation Service** in Bozeman.

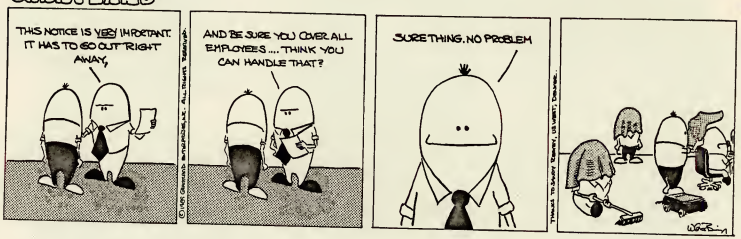
For more information, call Linda Currie, executive director, GCEPD, 444-3886.

The Supervisor's Midterm EEO Reality Quiz

(Reprinted with permission from The EEO Review, September 1989, Issue 272. Copyright 1989 by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010-6904. All rights reserved.)

This quiz is designed to help sharpen on-the-job understanding of how EEO and related laws affect everyday decisions. All questions are taken from material appearing in **The EEO Review** (March-August, 1989).

The quiz focuses on practical management techniques to prevent legal problems, and on other supervisory concerns. Check your answers with those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appearing on page 4. If you have questions about Equal Employment Opportunity/ Affirmative Action issues, contact your agency personnel officer or call Linda Davis, state EEO coordinator, 444-3796, or Linda Currie state EEO and disability specialist, 444-3886.

Questions:

1. One area of supervision where it's better to be flexible than consistent in applying company policy is in dealing with AIDS -afflicted employees. True or False?

2. Not allowing dissemination of employee health records and not revealing to co-workers the fact that an employee has AIDS are two ways to avoid invading the privacy of an AIDS-infected employee. Describe two other, day-to-day measures to avoid for the same reason.

3. The first step in an effective performance appraisal is scrutinizing exactly how the employee has been performing on the job. True or False?

4. Supervisors, managers, or co-workers who make persistent requests of employees of the opposite sex for dates, call their home, ask intrusive, non-job-related questions about an employee's sexual activities or personal life may be sued for two kinds of violations. Name them.

5. The best way to avoid OSHA violations or costly lawsuits over accidents and other health-and-safety problems on the job is to take new hires on two walkthroughs of the job: The first is to familiarize the new hire with the job. What is the second?

6. As long as a female employee invites or welcomes your sexual advances, you will be free from liability if there are later allegations of sexual harassment. True or False?

7. The recent Supreme Court case that ruled against "preferential" treatment of minorities and women in affirmative action programs *(Martin v. Wilks)* has made affirmative action programs unenforceable. True or False?

8. When writing a disciplinary letter (written warning, suspension, discharge, or other), make sure that the entire letter is based on (fill in this blank).

9. Every letter of reprimand should begin with the same line. What is it?

Quiz answers on page 4.

Governor Stephens Tours State Agencies

Governor Stan Stephens is using a series of half-day visits to the Helena offices of state agencies as a way to meet state employees and hear their comments and suggestions concerning state government.

The governor began his personal tours of state agencies in August and will

continue to schedule visits over the next couple of months until all the agencies have been covered.

During visits in August, September and October to the departments of Social and Rehabilitation Services, Institutions, Administration, and Commerce, the governor said employees have been "candid in their comments, and that's something I encourage."

In some of the department visits the governor was not able to tour all the agency offices, but he will schedule return visits as his schedule allows. Over the next two months the governor will visit the Department of Highways, October 26; Department of Natural Resources and Conservation, October 27; a return visit to the Department of Social and Rehabilitation Services, October 30; Workers' Compensation Division, October 31; Department of State Lands, November 2; Office of Indian Affairs, November 3; State Lottery, November 6; Department of Health and Environmental Sciences, November 7; Department of Family Services, November 9; and Department of Labor and Industry, November 27.

The best times to exercise are first thing in the morning and about 30 minutes after dinner. Blood sugar levels are lowest in the morning after an all-night fast, so the body will draw on stored fat to provide energy or exercise. And by exercising during the first hour after dinner, the number of calories the body absorbs can be reduced by as much as 15%.

From Briefcase, 1989.

SECC Efforts Continue

Through October 31, The State Employees' Combined Charitable (SECC) campaign had reached 50% of its contribution goal. The campaign is scheduled to end on November 10.

Contribution activity through October 31 includes:

Total number of employees contributing: 871

Average contribution per employee: $57

Percentage of employees who contributed: 8%

Total contributions: $49,983.00

For additional information about SECC, contact Linda Dixon, State Personnel Division, 444-3871.

Quiz Answers

1. True. Flexibility in applying company policy - trying to make policy fit the situation, instead of the other way around - may be the single most important way to avoid a lawsuit over AIDS, according to attorney Gregory Hammond.

Example: Make an extra effort to help the infected employee maintain minimum productivity requirements as long as possible. This goes against traditional emphasis on consistency in applying policy.

2. There are three ways to protect an AIDS-infected employee's privacy (any two of the following comprise a correct answer):

(1) Do not require the infected employee to use separate locker rooms, washrooms, or cafeteria facilities.

(2) Do not do anything extraordinary for infected employees - move their work location, ask them to take time off - unless they ask you to, and only after you have consulted with upper management.

(3) Do not require infected employees to wear special clothing or equipment unless it is specifically necessary for safe performance of the job.

3. False. The first step in an effective appraisal is checking the job description to assure that you know all job duties and which ones are most important.

4. Sexual harassment, invasion of privacy.

5. Take the new hire on a walk through of the job that covers ONLY safety requirements and accident prevention measures. Neither pamphlets on company-wide safety policies, benefits, or other general information about them, nor high-level job training programs can take the place of a job-specific, safety-briefing-only for each employee. After hiring, give each employee a detailed health and safety training review.

6. False.

7. False. This decision does not affect existing affirmative action programs. It only says that employees who think that such a program discriminates against them have the right to challenge the program in court.

8. *Observable* facts related to the employee's job performance and not upon hearsay, opinions, feelings, etc.

9. "This is a written reprimand for..." and state the specific violation or misconduct.

Key:	All 9 correct...Superior
	7-8 correct....Excellent
	5-6 correct.....Good

Happy Halloween!

Staff Changes

Linda Dixon has rejoined the Classificiaton Bureau of the State Personnel Division. She began her new position as a senior classification analyst on October 10. Ms. Dixon who was employed as a personnel policy specialist in the Personnel Division, had worked for the Classification Bureau as a job analyst from 1986 through April, 1989. She can be contacted by calling 444-3852.

Dixon fills the position vacated by **Don Coburn** who retired after 12 years in the Classification Bureau. He had been employed as a job analyst and senior classification analyst before retiring in September. Coburn, who had worked as a state employee for over 20 years, received special recognition for his efforts in a letter from Governor Stephens.

HEALTH-BEAT

Checking It Out Before Checking In

(This article is reprinted from Health Incentives newsletter, September, 1989.)

Their ads are everywhere: alcohol and drug treatment centers and hospitals, in pursuit of dollars, tell us we need treatment, and why treatment is most apt to occur at their facility. One current version: A man pounds on a locked door, pleading, "I promise honey, I'll go to treatment." Behind the door a woman weeps, "But you've said that before." He replies, "Honey, I called Brand X Treatment Center. I'm going tomorrow." Door opens, couple falls into each other's arms, scene dissolves.

These ads tug on our heartstrings and play on our guilt and fears. They create confusion about when treatment is needed and where to get it. Checking out these concerns before checking into treatment would be very wise. Look at what's happening in this arena of health care. Nationally, inpatient hospitalizations for chemical dependency treatment rose 27% from 1981 to 1986 (National Institute of Mental Health, 1989). The glut of advertising has obviously encouraged this trend. The good news is that the trend also reflects our growing awareness of addictions as treatable diseases. These changing attitudes are progress.

However, the belief that hospitalization is the best form of treatment for chemical dependency is simply wrong. There is no evidence to support this belief. In fact, an examination of 26 carefully controlled studies (Miller and Hester, American Psychologist, July 1986) found no overall advantage for residential over non-residential settings, for longer over shorter inpatient programs, or for more intensive over less intensive treatment options. In other words, checking people into the hospital for long alcohol or drug therapy isn't superior to other kinds of care. Professionals in the field generally regard outpatient treatment at least as effective as inpatient care. And some controlled studies even indicate higher recovery

rates from outpatient treatment.

Where does this leave individuals who think they need treatment? The answer won't be found staring back from the TV screen. Essential to getting on the right road is a good assessment of the problem. The first step is to see a master's level counselor or a certified chemical dependency specialist who is completely independent from a hospital program. The assessment should take two to six hours, and consist of written questions, an interview of both the patient and concerned others, and psychological tests.

If the diagnosis is chemical dependency, then the counselor can help with the consideration of all options that meet an individual's particular needs. Since outpatient care is clearly emerging as the best choice for most people, that may be the likely place to begin. Even here, there are numerous choices. A person may need as little as one hour a week with a counselor, or as much as 12 hours weekly of intensive group therapy. Generally, the more difficult it is to maintain abstinence, the more intensive treatment will have to be. Family therapy, AA (Alcoholics Anonymous), and Alanon (a family AA group), while not mandatory, can aid recovery considerably. If an individual is among the 10% who need detoxification before treatment, i.e. who need to be "dried out" under medical supervision, outpatient care can follow.

For information about covered medical expenses for treatment of addictions under the state's benefit plan, refer to the State of Montana's Employee Benefits Plan, or call Linda Kaiser, wellness officer, 444-3946.

NEW LIST READY

An updated listing of Montana chemical dependency treatment programs is now available from the Department of Institutions. The list includes locations and services of state approved programs and educational courses. For additional information, call Darryl Bruno, chief, Chemical Dependency Bureau, 444-3930.

PDC AUGUST CLASSES

PRE-RETIREMENT PLANNING SEMINAR SLATED FOR MISSOULA

If you are within five years of retirement and live in or around the Missoula area, you'll want to be sure to attend this two-day pre-retirement seminar. It will be held in the Holiday Inn East, November 28 and 29. This two day seminar will be offered from 9:00 a.m. to 4:30 p.m. and will look at retirement from a mental, physical, and financial planning standpoint. Cost of the seminar, jointly sponsored by the PDC and the Public Employees Retirement System, is $50.00. Spouses are urged to attend, free of charge.

LINDA DAVIS TRAINS IN CUT BANK AND HAVRE!

During the month of November Linda Davis, EEO coordinator, will be presenting two popular seminars in northwestern Montana in cooperation with local Job Service offices. The seminars are **Managing Time** and **Public Relations in the Public Sector.** The schedule is as follows:

Cut Bank - November 14
Havre - November 17

Both are half-day classes and cost $45 each. Anyone desiring further information about these seminars is urged to contact the local Job Service office or PDC.

AND OTHERS TOO...

Some of the other courses offered in November are:

★ **A Delicate Balance: Privacy and the Right to Know.** November 8. $60.00.

★ **Preventing Workplace Discrimination.** November 21, Cost $45.00.

Anyone desiring further information on these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may register by calling 444-3985.

ACKNOWLEDGEMENTS

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Linda Kaiser
Gale Kuglin

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OCTOBER

		November 1 Time Mgmt/PR Kalispell Business English EOM - Organizing	2 Conducting P.A. Interviews	3
6	7 EOM - Delegating	8 Delicate Balance	9	10 Veterans Day
13	14 Time Mgmt/PR CutBank	15	16	17
20	21 EOM - Measuring Preventing Workplace Discrimination	22	23 Thanksgiving	24
27	28 EOM - Controlling	29 Pre-Retirement Planning Missoula	30	

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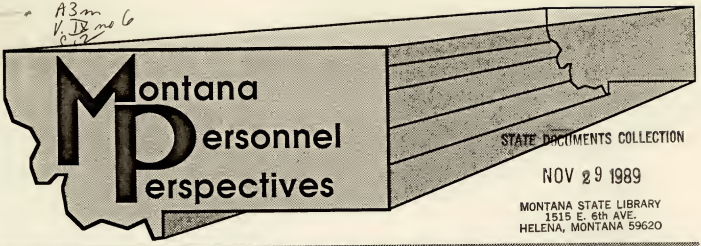

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Affirmative Action Plan Underway

Agency EEO officers have begun preparing affirmative action plans for calendar years 1990-1991. An effective AA plan cannot be developed and implemented without the understanding and cooperation of agency managers, supervisors and employees. The following information about affirmative action planning and analysis is provided to promote an understanding of that process.

The term "underutilization" is routinely used in an affirmative action planning process. Underutilization exists when there are fewer minorities or women in a job class or occupational group than would reasonably be expected compared to their availability in the labor force. Whenever underutilization is identified in an agency's workforce, agency management needs to determine why the group has not obtained a representative share of the agency's jobs. Underutilization usually results from something in the recruitment and selection process that works against a certain group.

Recruitment Problems

A recruitment problem means an employer has fewer minorities or women applying for positions than the employer would reasonably expect when compared to their availability in the laborforce. A recruitment problem is identified by comparing that group's representation as a percentage of all applicants over a significant period of time to their representation in the labor force. Using accountants and auditors, as an example,

Imagine that over a two year period only 50 of 250 applicants (20%) are women. This suggests that recruitment methods should be examined to determine why women are not applying in numbers commensurate with their labor force representation of 46%.

In this example, an examination of recruitment methods may show that positions open to external recruitment in this occupational group had been advertised only locally, and consequently had not come to the attention of many women meeting the minimum qualifications. Having identified this as a probable cause of the recruitment problem, the agency needs to include in its AA plan an action item which states that it will advertise all job openings in this occupational group statewide, with postings in all state Job Service offices.

Selection Problems

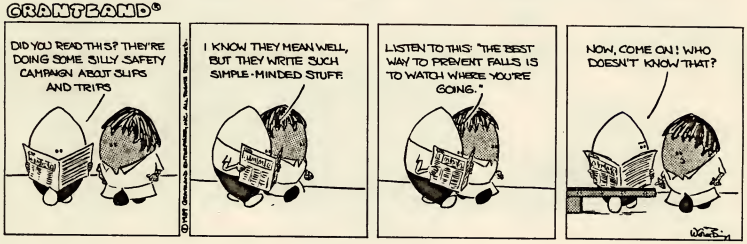
A selection problem is most commonly identified by comparing the selection rates for women or minorities to their opposites in the workforce. A selection rate is determined by dividing the number of persons hired in a certain group by the number of applicants in the same group. Using the same example as above, if one woman was hired out of the 50 that applied the selection rate for women would be 2%. If 15 men were hired out of the 200 that applied the selection rate for men would be 7.5%. Since the selection rate for women is significantly lower than for men in this example, then selection procedures should be examined for factors having an adverse impact on women.

An examination of selection practices may, for example, show that selection criteria for positions in this job group have unjustifiably weighted the years of work experience of applicants too heavily, and the relevance of work experience has not been weighted heavily enough. The examination may show that the overemphasis on years of experience has had a significant adverse impact on the selection of women. Consequently, the affirmative action plan may require an action item which calls for a change of weighting in selection criteria, or which calls for heavier weighting of written and oral interview questions which specifically test knowledges needed to perform position duties.

These examples which identify problem areas and address them in a Affirmative Action Plan are illustrative, not comprehensive. Many other factors such as promotions, terminations, and training are analyzed and considered when assessing the effect of an agency's employment policies and practices on its employees.

The EEO section of the State Personnel Division is offering EEO/AA briefing for managers to explain the affirmative action planning process. Staff will work with personnel and EEO officers and tailor the presentation to an agency's needs.

For more information about affirmative action planning, call Linda Davis, EEO coordinator, 444-3796, or Linda Currie, EEO and disability specialist, 444-3886.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DID YOU READ THIS? THEY'RE DOING SOME SILLY SAFETY CAMPAIGN ABOUT SLIPS AND TRIPS
I KNOW THEY MEAN WELL, BUT THEY WRITE SUCH SIMPLE-MINDED STUFF.
LISTEN TO THIS: "THE BEST WAY TO PREVENT FALLS IS TO WATCH WHERE YOU'RE GOING."
NOW, COME ON! WHO DOESN'T KNOW THAT?
12/5

Today's Opportunities for Tomorrow's Jobs

150 Attend Disability Employment Conference in Helena

The 1989 Disability Employment Conference served as a forum for service providers, employers and persons with disabilities.

Approximately 150 persons attended the various portions of the conference on October 24 in Helena. The conference is sponsored annually by the Governor's Committee on Employment of People with Disabilities and The Human Resource Development Institute.

Each group provided insight into systematic problems and potential solutions.

A written report of the conference activities and proposed plans for the future will be made available to the public in early 1990. For more information call Linda Currie, EEO and disability specialist, 444-3886.

HAPPY THANKSGIVING!

How To Prepare for a Counseling or Corrective Interview

If you are faced with the delicate task of counseling or correcting an employee and want a productive meeting, follow these practical steps before the interview takes place:

• Clarify for yourself the specific reason for the interview session and the goal you want to achieve in it. Don't weaken or water it down by planning to cover every little problem that you see. Smaller problems should be handled one-on-one at the employee's work station or in the work area, or simply in a private (coaching) discussion with the employee.

• Know how you feel toward the employee before you meet, and keep in mind that job performance counseling is not disciplinary action. A positive attitude is crucial for successful counseling.

• Locate, study, and know the rules, regulations, contract clauses, procedures, and policies that apply to the incident or topic of discussion.

• Review and evaluate the employee's personnel and performance records before the counseling session is announced or requested. Examine achievements as well as problems, and determine if there have been previous counseling or disciplinary sessions for the same or similar conduct. If there are prior instances, discuss them with the supervisors involved.

• When the meeting is for disciplinary counseling, consider discussing the situation beforehand with your department head, personnel, or labor relations department.

• If poor performance is to be a topic of discussion, be prepared to show specific examples of poor quality work. ***Facts,*** not impressions or opinion, must be presented in this kind of discussion.

• If you intend to cover attendance, a color-circled calendar can be a very effective way to convince employees that there is a problem. For example, green-circled days off and red-circled days absent help highlight patterns to you and the employee ("a picture is worth a thousand words").

• Be prepared to show the detrimental or negative effects on the employee's job performance of the problem(s) you intend to discuss. For example, if you plan to counsel for absenteeism, refer to its effect on the employee's potential job progression and the fact that attendance problems, if not corrected, could affect the employee's chances for advancement. This kind of counseling should be done well in advance - not at the moment a promotion is denied.

• Prepare to keep your attention and the employee's on the facts of the central topic - regardless of how angry or accusatory the employee becomes. In other words, don't blow your cool.

• Anticipate the employee's questions and challenges - don't wait until the session to learn or think about them.

• Deflate unnecessary anxiety about the counseling session by letting the employee know ahead of time the reason for it; that you are interested in being of help; that you will not ask the employee to do anything unreasonable or without help and understanding, and that you will provide any guidance or training that may be necessary.

Starting the Session

The tone you set when you start the meeting may determine your success:

• Hold any counseling session in absolute private, assure the employee that confidentiality will be maintained, then see that it is.

• Don't let yourself be distracted during the session, or even appear to be distracted, such as by peering out the window or looking at papers on your desk. Try to clear your desk or table top to give the employee the message that he or she is important. Ask the operator or secretary to hold your calls and prevent interruptions "during this very important session" and let the employee hear that. If there are interruptions, notify the interrupter that you are in a very important meeting (and let the employee hear that, too). If you know there will be interruptions, tell the employee before you start.

• Make absolutely sure to tell the employee at the outset that "this is a job performance counseling session," then identify immediately the specific purpose of the meeting.

• Try to emphasize early any positive aspects of the employee's past performance, including the employee's present value to the organization or department. But don't disguise the real purpose of the meeting.

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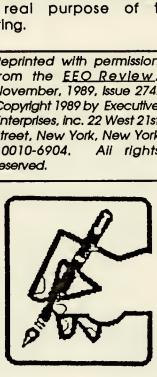


EEO/AA Report to the Governor is Released

The 1989 Montana Equal Employment Opportunity and Affirmative Action Program's (EEO/AA) Report to the Governor shows that progress has been made in several important areas.

The report focuses on the executive branch's Fiscal Year 1989 employment of classes of citizens protected under both federal and state law, and provides recommendations for improvements.

In the executive branch, minorities constitute 3.3% of all employees as compared to 4.8% of the Montana civilian labor force. This representation of minorities increased from 3.2% in Fiscal Year 1988.

3.0% of all executive branch employees are disabled compared to an estimated 5.0% in the state's civilian labor force. This representation of the disabled decreased from 3.2% in Fiscal Year 1988.

While women are well represented overall in the state workforce, women are still concentrated in lower paying occupational categories such as clerical, and in the lower levels of the higher paying occupational categories such as professionals and managers. Females make up 46.2% of the employees in the executive branch. In the management occupations, the representation of women increased from 20.6% in Fiscal Year 1988 to 21.1% in Fiscal Year 1989. In the professional occupations, there was also an increase from 40.7% in Fiscal Year 1988 to 41.1% in Fiscal Year 1989.

By 1992, white males will, for the first time, be a minority in America's workforce (Work Force to the Year 2000: Opportunities and Challenges,

DOLI, Aug. 1988). With the labor shortage upon us, Montana must take advantage of opportunities to recruit older workers, females, minorities and disabled persons.

The annual report describes efforts by state agencies to improve the employment opportunities for all groups. Efforts are being made to prepare state managers and supervisors to work with the diverse workforce expected in the 1990's.

Copies of the report are available at State Personnel Division, Department of Administration, Mitchell Building, Room 130, Helena, MT 59620 or by calling 444-3871.

Policy Issue: "Borrowing" a Federal Employee

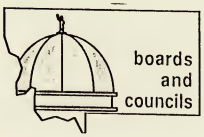
Question:

Some state agencies have used federal employees "on loan" to satisfy a specific job-related need or to address recruitment problems. What program regulates federally loaned positions and how does a state agency facilitate a loan?

See answer page 5.

Staff Changes

Jim Edgcomb joined the policy section of the State Personnel Division in November. He is employed as a Personnel Specialist II. Mr. Edgcomb comes to the policy section from the division's Classification Bureau, where he had worked as a job analyst since August 1988. His phone number is 444-3794.



Appointments Made to WIEAC

Governor Stephens has signed an executive order continuing the Women in Employment Advisory Council (WIEAC) until August, 1991. The council, which was established in 1981, will continue to advise the governor and the Department of Labor and Industry on employment barriers faced by women in Montana.

In the past, WIEAC has coordinated and sponsored a variety of conferences, projects and legislative issues aimed at encouraging employment of women. The council has promoted awareness about or lobbied for welfare reform, non-gender insurance, aging issues and equity in education.

The following people have been appointed to the council: Virginia Bliss, Conrad; Aubyn Curtiss, Fortine; Blanche Proul, Anaconda; Judy Birch, Helena; Verna Green, Helena; Antoinette Fraser Rosell, Billings; Rosemarie Strope, Helena; Darlene Johnson, Wolf Point; Sue Weingartner, Helena; Jeanne Amsberry, Helena, and Ilene "Mike" Dalium, Cascade. WIEAC is staffed by the Department of Administration.

For information about the council, call Liz Hayden, State Personnel Division, 444-3789.

Policy Issues

Answer:

The "Intergovernmental Personnel Act of 1970" was enacted by Congress to address training, recruitment and retention issues in federal, state and local governments. This law is based on the premise that it is in the national interest for the federal government to "provide financial and technical assistance to state and local governments for strengthening personnel administration practices."

Title IV of the law, "Mobility of Federal, State, and Local Employees" and Chapter 334, "Temporary Assignments Under the Intergovernmental Personnel Act" in the "Federal Personnel Manual" address the temporary reassignment of personnel between federal,

state and local governments. These sections provide for arranging the assignment, payment including benefits, leave use and accrual, length of assignment and supervision.

State agencies who wish to arrange a federal position loan may contact the director of a specific federal agency. That agency may negotiate a contract with the state for a period of up to four years. (An employee may be loaned for two years with a possible two-year extension.)

The employee on loan from the federal government remains a federal employee, although cost-sharing arrangements are negotiable between each governmental agency. In the past, the state has not considered the loaned employee an "independent contractor". The federal employee, by law, remains an employee of his/her agency.

A state agency does not need to have a vacant or existing FTE in order to request a position loan from the federal government, although the loan may fill an established FTE.

For additional information, call your agency personnel representative, or the State Personnel Division, 444-3871.

Committee On State Employee Compensation Meets

The Committee on State Employee Compensation officially began its work on Friday, October 27. Governor Stephens asked members to consider several compensation issues including: the market competitiveness of the state's compensation system; streamlining the number of pay schedules; rewarding outstanding performance; recognizing length of service; and the state employee benefit package. The governor suggested that the committee examine successful employment practices used by private sector employers. In addition, he urged the group to identify revenue sources for funding its recommendations.

Following the governor's address, staff provided extensive background information on the state employee pay plans, benefits, classification, and collective bargaining. In addition, the committee reviewed and suggested revisions to a draft problem identification questionnaire that will be mailed to a sample of state employees. Members also adopted a study plan and meeting schedule. The schedule provides that the committee will wrap up its work with a report to the governor and the legislature by late October 1990.

The committee's next meeting is Tuesday, December 19 in Helena. The meeting will be used to provide members with additional information on the state's compensation system. For further information about the committee's activities, call Laurie Ekanger, State Personnel Division, at 444-3871 or Lois Menzies, Legislative Council, at 444-3064.

SECC Ends November 10

The State Employees' Combined Charitable (SECC) campaign came to a close on November 10. Through the concentrated efforts of many state employee campaign directors, coordinators and solicitors, contributions reached $78,466.

A final update of contributions will be published in the next issue of Perspectives.

Activity to date includes:

Total number of employees contributing: 1,361

Average contribution per employee: $58.00.

Percentage of employees who contributed: 13%.

For additional information about SECC, contact Linda Dixon, State Personnel Division, 444-3871.

DECEMBER CLASSES—PDC

CLASSES FILLING FAST

Classes being offered during December under the auspices of the Professional Development Center are filling fast! There are still limited enrollments available in three classes and waiting lists are being kept for the others.

CONTEMPORARY WRITING SKILLS

This ever-popular seminar, presented by John Moore, is intended to improve professional skills in composing and revising prose, with an emphasis on punctuation, grammar, style and format in contemporary use. It will be held in the Lee Metcalf Building, December 6 from 1 to 4:30 pm; and continue on December 7 from 8:30 a.m.-noon.

Cost is $60.00. Limited enrollments available.

FIRE ME AND I'LL SUE!

Progressive disciplinary procedures sometimes end in discharge of an employee. If not handled fairly and according to the law, such action can result in legal actions. This day-long seminar teaches how to avoid costly mistakes while maintaining an effective discipline process. December 12, Lee Metcalf Building, 8:30 a.m. -4:30 p.m. Cost is $60.00.

TAKE YOUR WORD FOR IT

Confidence and skill in relaying your message to others are the keys to effective communication. In this brief workshop, you'll learn how to get on one's "wavelength" and "speak their language." This in turn will help you get them to "take your word for it!" It will be offered December 12, from 8:30 a.m. to noon, at a cost of $45.00. John Camper will be the instructor.

SELF MANAGEMENT

Although this seminar presents many time management principles useful for everyone, it goes beyond that. It is intended for managers and looks at ways to orchestrate the time and talents of the entire staff in order to develop a more efficient, effective work unit. December 20, Lee Metcalf Building, 8:30 a.m. -4:30 p.m. Cost is $60.00.

AND OTHERS TOO...

Managing Conflict -December 14, 8:30 a.m. to 4:30 p.m. Lee Metcalf Building. Cost $60.00. (Limited spaces available)

Effective Disciplinary Actions - December 20, 8:30 a.m. to 4:30 p.m. Cost $60.00, Lee Metcalf Building. (Limited spaces available)

JUST FOR CLARIFICATION...

- Classes offered by the Professional Development Center throughout the state are open to those outside state government on a "space-available" basis and at the same cost as for state employees. In some seminars we especially encourage participation from those outside state government in order to get a diversity of thought and discussion.
- Participants in PDC classes who are state employees are billed through the State Budget and Accounting System (SBAS) following the class.
- Individuals who attend the seminars at their own expense should bring a check or purchase order made out to the "State of Montana." We discourage payment with cash.

Anyone desiring further information on these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may also register by calling 444-3985.

ACKNOWLEDGEMENTS

The State Personnel Division thanks the following people who provided articles and assistance for this issue of Montana Personnel Perspectives:

John Camper
Mark Cress
Linda Currie
Linda Davis
Linda Dixon
Jim Edgcomb
Laurie Ekanger
Jeanette Handelin
Ron Wilson

If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden at 444-3789.

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Montana Personnel Perspectives

Volume IX, Number 7

December, 1989

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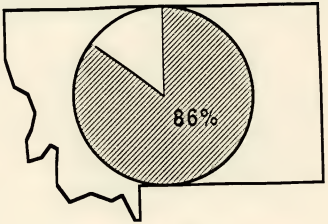

SECC Finishes with 86% of Goal

The Montana State Employees Combined Contributions (SECC) campaign reached 86% of its goal with total contributions of $85,909. About 1,471 state employees contributed with an average contribution of $58.

The SECC is the first statewide charitable giving campaign for state employees. Lt. Governor Allan Kolstad served as chair of the campaign. Employees contributed through payroll deduction or with cash gifts to the nine United Way federations around the state, to the Combined Health Appeal of Montana, and the Montana Community Shares.

The United Way of Lewis & Clark County received $47,229 which is 73% of its goal. All of the other United Way federations combined received a total of $14,687. The Combined Health Appeal of Montana reached $15,915, and Montana Community Shares received $8,078 from t he SECC.

The Department of Highways led agencies in contributions with a total of $10,294. The

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Department of Labor & Industry is close behind with $8,753 contributed.

The Secretary of State had the highest percentage giving, with 77% of its employees contributing. The State Library followed with 55% of its employees participating.

The Judicial Branch had the highest average contribution of $131 per employee.

The success of SECC is due to the coordinated efforts of hundreds of state employees who acted as campaign coordinators, keypersons and solicitors. The following agency coordinators are only some of the individuals who are credited with the campaign's success:

Legislative Branch: Jan Parsley; Jim Haubein

Judicial Branch: Patty Harris

Governor's Office: Don Ramage

Secretary of State: Kathy Lubke

State Auditor: Georgia McGowan

Office of Public Instruction: Karen Custer

Justice: Anita Drews

Public Service Commission: Madeline Cottrill

Commissioner for Higher Ed: Laurie Tobol

Montana Arts Council: Jeanine McCarthy

State Library: Kathy Smith

MT Historical Society: Lory Morrow

Administration: Linda King

Fish, Wildlife & Parks: Dale Graff

Health & Environmental Sciences: Glenna McClure

Highways: Dick Clark

State Lands: Gary Amestoy

Livestock: Lisa Loyning

Natural Resources: Jim Bond

Revenue: Bev Bernal

Institutions: Doug Barnes

Agriculture: Carole Kimble

Labor & Industry and Worker's Compensation: Kay Anderson

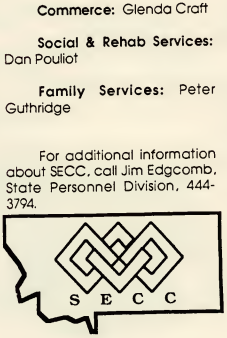
Military Affairs: Steve Barnard

Commerce: Glenda Craft

Social & Rehab Services: Dan Pouliot

Family Services: Peter Guthridge

For additional information about SECC, call Jim Edgcomb, State Personnel Division, 444-3794.



Action Items for People with Disabilities Suggested for Affirmative Action Plans

The State Personnel Division has received a number of requests from state agencies for assistance in writing Affirmative Action Plans. The EEO section has prepared the following suggested action items which may simplify this process:

ACTION ITEMS FOR PERSONS WITH DISABILITIES

Action Item: Work with the Supported Employment Task Force to analyze the agency environment and jobs with the intent to provide employment for one severely disabled supported employment client.

Target Date: Beginning January 1, 1990 until the task force ends its mission or a supported employment client is hired.

Person Responsible: Agency personnel officer and/or the agency representative for the Supported Employment Task Force.

Action Item: Participate in Barrier Awareness Week in May. The following activities are suggested:

-"Windmills" training; provide barrier awareness education;

-schedule a disabled employee to speak to agency management about agency environmental and attitudinal barriers;

-participate in interagency activities like a beeper ball tournament;

-plan experimental activities; for example, have employees use wheel chairs or blindfolds for short periods of time in order to experience a disability.

Target Date: Plan to begin in April 1990 with activities taking place in May 1990.

Persons Responsible: Personnel officers, managers and supervisors.

Action Item: Support programs for Disability Employment Awareness Month in October. Suggested activities include:

-Arrange for some managers or disabled employees to attend the Annual Disability Employment Conference in October;

-participate in the Job Fair at the annual conference to recruit persons with disabilities;

-"Windmills" training;

-place posters in support of hiring disabled persons throughout the building;

-hold awareness sessions during the month to explain agency policies concerning persons with disabilities;

-publicize during the month through agency newsletters, bulletin boards, etc.

Target Date: Preparations in September, 1990. Activities in October, 1990.

Persons Responsible: Personnel officers and managers.

Action Item: Participate in the Governor's Committee on Employment of People with Disabilities Awards program. Suggested methods include:

-Nominate agency managers, who hire the disabled, for an employer award;

-Nominate service providers, who have helped your agency in finding or maintaining disabled employees, for a service provider award;

-strive to be an exemplary employer by recruiting the disabled, and providing education and training to managers and employees upon hiring persons with disabilities. You may be nominated by members of the Governor's committee for an employer award.

Target Date: Starting immediately; the program is ongoing.

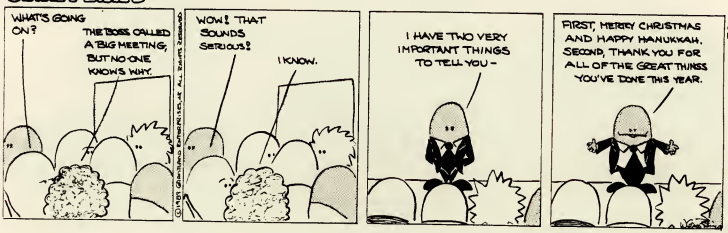
Persons Responsible: Agency director, Personnel officer and managers.

For more information about these suggestios or Affirmative Action Plans, call Linda Currie at 444-3886.

EEO Outreach Activities Continue

The EEO section of the Employee Relations Bureau, State Personnel Division has started the second phase of its Outreach Campaign. The first phase was conducted with the cooperation of the Job Service Division of the Department of Labor & Industry. It included visits to every Job Service office in the state, training staff members on EEO/AA and promoting communication opportunities.

The second phase involves meeting with local


GRANTLAND®
WHAT'S GOING ON?
THE BOSS CALLED A BIG MEETING, BUT NO ONE KNOWS WHY.
WOW! THAT SOUNDS SERIOUS!
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I HAVE TWO VERY IMPORTANT THINGS TO TELL YOU -
FIRST, MERRY CHRISTMAS AND HAPPY HANUKKAH. SECOND, THANK YOU FOR ALL OF THE GREAT THINGS YOU'VE DONE THIS YEAR.
1225

recruitment sources for women, minorities and the disabled throughout the state. This is done in cooperation with local Job Services, the Montana Department of Highways and the state Coordinator of Indian Affairs. EEO section staff explain the state's format for vacancy announcements, procedures for completing the state application, preparing application supplements and general aids for getting a job with the state of Montana. Other participants explain recruitment methods and take part in the general discussion and explanation of such topics as collective bargaining agreements, problems in applying for jobs and agency goals.

Outreach sessions have tentatively been scheduled for:

Helena - January 11
Butte - February 7
Dillon - February 8
Missoula - March 15
Great Falls - April 12
Wolf Point - May 16
Sidney - May 17
Glendive - May 17
Billings - June 13
Miles City - June 14
Lewistown - July 19

For more information contaact Linda Davis, 444-3796 or Linda Currie, 444-3886.

The "Hot Stove" Principle Establishes Consistency

At one time or another, personnel managers must face a situation where an employee violates a work rule and formal disciplinary action is necessary. Ideally, such a circumstance is an opportunity to improve an employee's performance. The "Hot Stove Principle" suggests ways in which a supervisor can approach a disciplinary action.

It forewarns.

A hot stove sizzles and, therefore, *forewarns* the person who comes near it. It should not be a surprise to an employee when he or she is disciplined. A manager's actions need to *be predictable.*

It is consistent.

A hot stove always burns. The keyword is "always." Managers must be *consistent.* If employees detect that a manager vacillates from left to right or shows favoritism, that manager has lost some of his or her effectiveness. *Be consistent.*

It does not discriminate.

A stove burns anyone who touches it. The keyword is "anyone." It *does not discriminate* between employees. Everyone is treated the same. This point is crucial to the administration of discipline on the job. *Do not discriminate.*

It doesn't apologize.

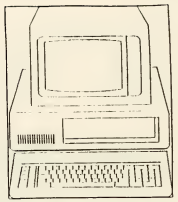
After a stove burns, it is silent. To apologize for a warranted action is to detract from its meaning and purpose. *Don't apologize.*

It doesn't get emotional.

A stove has no emotion. Disciplining an employee is not an emotional, but a factual matter. *Remain calm.*

Managers are not courts of justice trying to deter further crime by severe punishment. Appropriate discipline and effective methods for administering discipline at the workplace are among the personnel managers most difficult tasks. The "hot stove" principle is one method that helps cue managers about suitable actions when handling a discipline case at work.

For further information about handling discipline, call the Employee Relations Bureau, policy section or the Professional Development Center, 444-3871.



Classification Reviews Accounting Series

The Classification Bureau is undertaking a statewide review of accounting positions. The purpose of the review is to gather and evaluate current information in order to update the class specifications for the accounting series. The classes included in the review are Accounting Clerks, Accounting Technicians, Accounting Specialists, Accountants and Accounting and Fiscal Managers. These classes include approximately 455 positions.

An Accounting Review Committee has been established to assist in the review. This committee is comprised of five accounting

managers from various state agencies and the university system and two staff members from the Personnel Division. The committee members are: Kathy Fabiano, Office of Public Instruction; George Warn, Department of Commerce; Al Knutson, Montana State University; Gary Managhan, Department of Labor and Industry; Bill Salisbury, Department of Highways; and Esther Schneiter and Jim Edgcomb of the Personnel Division.

The committee will identify existing problems with the current class specifications and explore criteria to use in developing updated specifications.

To date, the committee has developed an accounting information guide that will assist the classification analysts in gathering current and relevant information specific to the accounting classes. The guide is to be distributed to each agency in December.

The completion date for the review is projected for June of 1990.

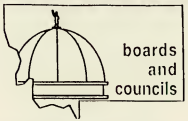
For additional information about this review, call Esther Schneiter at 444-3803.

Classification Question

What sources can I use to answer my questions about how the statewide classification system operates? Answer, page 6.

Staff Changes

Cathy Mason is the newest job analyst with the Classification Bureau of the State's Personnel Division. Previously, Ms. Mason was employed by the city and county of Denver, Colorado, as the Traffic Division supervisor for the county court. Her phone number is 444-3808.



Nationwide and D. A. Davidson Provide Deferred Compensation Services

Based upon the recommendation of the State Employee Group Benefits Advisory Council, the Department of Administration has again selected Nationwide Life Insurance Co. to provide investment products and services, and for the first time has selected D. A. Davidson to provide administrative services for the state Deferred Compensation Program. Nationwide and D. A. Davidson were selected after evaluation of detailed proposals by the advisory council.

Nationwide has provided investment products and services to the program since it began in 1975. Nationwide was selected based upon the most favorable guaranteed rates of return for the fixed fund, a variety of variable fund options, and several enhancements to the current contract. The agreement with Nationwide is effective January 1, 1990 through December 31, 1995 and is conditioned upon successful contract negotiations. The enhancements offered by Nationwide include the elimination of the 4% contingent deferred sales charge for employees withdrawing funds upon termination or retirement, elimination of the .45% asset management fee for the fixed fund account and a decrease of the contract termination charge from 4% to 2% of plan assets.

D. A. Davidson was selected to provide third party administrative services conditioned upon successful contract negotiation. Third party administrative services include marketing the program, enrolling new employees and assisting employees with changes in deferrals and withdrawals.

The selection of D. A., Davidson was based upon the assessment that the services proposed will be the most responsive to employees needs and the most cost effective.

Beginning January 1, 1990, program participants may contact John Allen or Jim Turcotte of D. A. Davidson Benefits for enrollment and account services. Both individuals will be available to enroll new participants into the plan, service current participants' account needs such as an increase of

deferrals, a change of address or beneficiary, or to discuss payout options. Mr. Allen or Mr. Turcotte may be contacted by calling toll-free (800) 823-9323 or by writing to D. A. Davidson Benefits, 17 Power Block West, 6th Avenue, Helena, MT 59601.

Plan participants also may contact Nationwide Life Insurance Co. directly to make exchanges between variable account options, to reallocate funds between the fixed and variable accounts, or to change an address. Plan participants may contact Nationwide Life Insurance directly by calling (800) 634-0227 between the hours of 6:00 a.m. and 2:30 p.m. mountain standard time.

For more information about the deferred compensation awards call Joyce Brown or Randy Pugh, Labor Relations and Employee Benefits Bureau, 444-3871.

Classification Answer

There are several sources for information about the classification system.

The law that authorizes the system and provides the basic guidelines for operating and maintaining the system was originally called the "Classification and Pay Act" and is found in Title 2, Chapter 18, Parts 2, 3 and 10, MCA.

Policy 3-0401, Classification Plan Rules, is found in the Montana Operations Manual, Volume III. These rules answer many questions about how the system works, the procedures that agencies must follow in requesting classification actions and the procedures that the Classification Bureau uses in making classification decisions. In addition, Policy 3-0505, Pay Plan Rules, answers questions regarding the relationship between the classification system and the pay plan.

Information about the classification appeals process can be found in the Administrative Rules of Montana (ARM) starting with ARM 24.26.502.

Classification manuals include Volume 1, the inventory of class titles used in the system; Volume 2, the class specifications (each title used in the system is defined and explained by the class specification) , and Volume 3, Methods and Procedures, a detailed explanation of the job analysis and job evaluation procedures used in the classification process.

These sources are accessible in each agency through the personnel officer, at the State Library or from the Classification Bureau staff in the State Personnel Division.

For further information, call the Classification Bureau, 444-3871.

Happy Holidays

Amendments To Clarify Grievance Rules

Proposed rule amendments concerning the Grievance Policy 3-0125, have been circulated for comments. The proposed amendments clarify that time periods referenced in the rules refer to "working" days rather than "calendar" days.

A public hearing will be held to consider the amendments on December 28, 1989 at 9:00 a.m. in Room 136, Mitchell Building in the Capitol Complex. If you have questions, call Jim Edgcomb or Gale Kuglin at 444-3871.

. . . . . .

A new Grievance Form has been sent to agency personnel officers. The form may be used to allow an employee to file a grievance in writing at Step 2 of the procedure. Use of the form is at the agency's discretion.

The Grievance Form is duplicated on the following page. Questions about the form or the Grievance Policy may be addressed to an agency's personnel officer or to Jim Edgcomb or Gale Kuglin, State Personnel Division, 444-3871.

Compensation Committee Schedules Meetings

The Employee Compensation Committee has provided the following schedule of remaining meetings: Thursday, **February 8** and Thursday, **March 29**, Problem Identification Phase; Thursday, **May 10** and

GRIEVANCE FORM

NAME _____ DEPARTMENT/BUREAU _____

POSITION TITLE _____ WORK PHONE _____

INSTRUCTIONS: The Grievance procedure has three steps. The first is informal resolution, the second a formal written grievance, and the third a review by the agency head or hearing. This form may be used by an employee to initiate a formal grievance at Step 2.

If you are considering initiating a grievance, you should review the complete Grievance policy, number 3-0125, effective 12/9/88. The policy is found in the Montana Operations Manual, Volume III or is available from the agency personnel office.

STEP 1 INFORMAL RESOLUTION

From the date of a grievable event, you have 10 working days to informally resolve your grievance with your immediate supervisor. You and your supervisor are encouraged to resolve your grievance at this step.

STEP 2 FORMAL GRIEVANCE

From the date of the grievable event, you have 15 working days to file a formal, written grievance. The 10 days provided in Step 1 are included in the 15 days provided in Step 2. The written grievance is considered filed when it is submitted to your immediate supervisor or the next level above your immediate supervisor.

You must provide the following information:

1. The date of the grievable event. _____

2. A specific statement of the written law, rule, policy and/or procedure violated. What action or conduct constituted the violation and what happened?

   _____
   _____
   _____
   _____ Total number of pages attached _____

3. The resolution or remedy you want. _____
   _____
   _____
   _____
   _____ Total number of pages attached _____

4. Employee signature and date filed with supervisor.

   _____ _____
   Employee's Signature Date

   _____ _____
   Supervisor's Signature Date received from employee

STEP 3 FORMAL GRIEVANCE

If you do not resolve your grievance at Step 2, you may advance the grievance to Step 3 by notifying the management representative in your agency who is designated to receive grievances at this step. Contact your agency personnel officer for the name of the designated representative. The notification must be in writing and must be received within 10 working days of receipt of management's response at Step 2.

Thursday, **June 28**, Problem Resolution Phase; Thursday, **August 30** and Thursday, **October 4**, Recommendation Phase.

The committee is staffed by the Legislative Council and the Department of Administration.

Anyone desiring additional information about the committee may call Lois Menzies, 444-3064 or Laurie Ekanger at 444-3871.

Professional Development Center
JANUARY CLASSES

We are starting the new year with a full schedule of classes aimed at managers and supervisors as well as employees at all levels.

INTERVIEWING SKILLS

This day-long seminar will provide the skills and tools necessary to conduct effective selection interviews in order to hire or promote the best applicant. It will be held, January 3, in the Montana Training Center, Lee Metcalf Building, from 8:30 a.m. - 4:30 p.m. Cost is $60.00.

CONDUCTING PERFORMANCE APPRAISAL INTERVIEWS

This half-day session will benefit managers and supervisors who want to improve their skills at participating in productive performance appraisal interviews. It will be held from 1:00 p.m. - 4:30 p.m., January 9, in the Lee Metcalf Building. Cost is $45.00. John Moore, senior management trainer for PDC is the instructor for both interviewing classes.

NEW EMPLOYEE ORIENTATION

The quarterly orientation for new employees will be held from 10:00 a.m. to noon, in the Lee Metcalf Building, January 4. Cost is $15.

TECHNICAL WRITING

This specialized course will focus on planning and executing clear reports on technical topics, whatever their format or audience. The Technical Writing seminar will be held from 8:30 a.m. to 4:30 p.m., on January 9, in the Lee Metcalf Building. Cost is $60.00. The instructor is Tom Livers, an assistant bureau chief in DNRC.

PRE-RETIREMENT

The Pre-Retirement Planning Seminar will be held January 9 and 10, in the Coach House Inn East, Helena. This seminar, intended for those within five years of retirement, is co-sponsored by the Public Employees Retirement Division. Cost is $55.00 for those covered under the Public Employees Retirement System (PERS) and $95 for all others. Spouses are urged to attend with the retiree. There is no charge for spouses.

TEAM BUILDING

This seminar, taught by Pam Crawford of Montana State University, will benefit managers and supervisors who work with teams, employee teams of "equal partnership," or management teams. It will be presented in the Lee Metcalf Building, 8:30 a.m. to 4:30 p.m., January 17. Cost is $65.00.

WHO SHOULD I HIRE?

The purpose of this half-day seminar is to identify the critical aspects of the hiring process that comprise effective, defensible hiring procedures. It is offered by John Moore on January 18, in the Lee Metcalf Building from 1:00 p.m. to 4:30 p.m. Cost is $45.00.

Anyone desiring further information on these or other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3985, or 444-3749. You may also register by calling 444-3985.

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If you have comments or would like additional information about Personnel Perspectives, call Liz Hayden or Jim Edgcomb at 444-3871.

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